

Fugh, Justina

From: (b) (6)
Sent: Wednesday, June 18, 2014 9:03 AM
To: Fugh, Justina
Cc: Richards, Carl
Subject: FW: For your Review/Approval
Attachments: Outside Activity Approval Request.docx

Justina,

For your files—concurrence by Carl of this outside activity. I hope I can call on you with any questions I might have as this evolves (target start date, September 1). Thank you for your help thus far.

(b) (6)

From: Richards, Carl
Sent: Monday, June 16, 2014 9:53 AM
To: (b) (6)
Subject: RE: For your Review/Approval

(b) (6)

I approve of this activity.
Carl

Carl Richards, Ph.D. Director
USEPA National Health and Environmental Effects Research Laboratory
Mid-Continent Ecology Division
6201 Congdon Blvd.
Duluth, MN 55804-2595
PH: 218-529-5010
FX: 218-529-5015
EM: richards.carl@epa.gov

From: (b) (6)
Sent: Friday, June 06, 2014 12:58 PM
To: Richards, Carl
Subject: For your Review/Approval

Carl,

Please see the attached. I ran this by Justina before sending it to you to ensure that she is OK with it-she is.

Thanks,

(b) (6)

June 1, 2014

FROM: (b) (6) Senior Research Toxicologist

TO: Carl Richards, Director and DEO, MED

SUBJECT: Request for Approval of Outside Activity

Background

I recently was offered a position of Associate Editor for the journal *Environmental Science and Technology* (ES&T; invitation appended below). This is a position includes a yearly honorarium, so I sought guidance from Justina Fugh (OGC) as to how proceed in terms of appropriate steps needed to obtain approval for the activity. She and I visited over the phone and exchanged several emails, the most detailed of which also is appended below. Based on her recommendations, I am supplying the following to provide a basis for your assessment of suitability of the activity in terms of approval.

Description of Activity

Name/Title/Grade: (b) (6) Research Toxicologist, ST

Nature of Activity: The activity consists of serving as an Associate Editor for *ES&T*, an environmental sciences journal published through the American Chemical Society (ACS). The duties of the Associate Editor consist of initially assessing suitability of a submitted paper for peer review, then assigning peer reviewers, evaluating their assessment of quality of the paper, communicating the peer review results to the submitting authors and, finally, making a determination of suitability of the paper for publication in *ES&T*, typically after revision by the authors in response to peer review comments.

The Lead Editor of *ES&T* (J. Schnoor) estimates that this position would involve handling about 300 papers per year. ACS provides an honorarium of (b) (6) per year to Associate Editors, as well as reimbursement of expenses related to editorial duties (e.g., purchase of a dedicated PC, printing costs, etc.).

Organization Name/Nature: The ACS is a non-profit international professional society comprised of several thousand members involved in various disciplines associated with chemistry, including environmental chemistry. One of the services offered to members is access to several journals focused on different aspects of chemistry, including *ES&T*.

Estimated Time: 8-10 hours/week

Duty Hours Involved: This activity will be performed entirely outside of normal duty hours (evenings, weekends), with no hours of absence from work anticipated.

Use of Government Resources: No government resources, including email accounts or phone lines, will be used for this work.

Compensation Basis: Per annum honorarium.

Statements

I acknowledge that I have read, am familiar with and will abide by the restrictions described in 5CFR Part 2635 (Subpart H, Outside Activities) and Section 6401.102 (EPA Supplemental Regulations).

I know of no EPA assistance agreements or contracts held by ACS that would be relevant to this outside activity.

APPENDIX I. Initial Communication from ACS

Dear (b) (6)

I would like to invite you to consider becoming an Associate Editor of *Environmental Science & Technology* (ES&T). Your appointment will begin on July 1, 2014 for two years and for possible reappointment in subsequent years. I am not sure how it would work as an employee of the federal government, but we would offer you a standard Associate Editor independent contract from the American Chemical Society, including a personal honorarium of about (b) (6) per year. In addition, we will provide you with an off-site editorial assistant (ACS Managed Support) and basic office expenses on a cost reimbursement basis, a laptop computer, and any software necessary for your editorial duties. Your name and affiliation will appear on the mast-head of every issue and in the on-line version of ES&T.

As Associate Editor, you would work with me, Deputy Assistant Editor Bruce Logan of ES&T Letters, and Assistant Editor, Dr. Barbara Booth, to handle approximately 300 manuscripts per year through the peer review process. Most of the papers would be for ES&T but we anticipate some from ES&T Letters, our new brief and high impact journal. We need your expertise in the

area of ecotoxicology, aquatic biology, and related human health. Right now, Beate Escher is the Associate Editor handling these type of papers for us and the area is expanding rapidly -- that's why we need your help. You have outstanding expertise and reputation in this area. You also have an outstanding record of publication in ES&T and elsewhere, and we respect your judgment. Please let me know if you might be interested in such a position, and we can arrange a time to talk more about it on the phone.

Best regards,

Jerry Schnoor
Editor-in-Chief, ES&T

APPENDIX II. Guidance from Justina Fugh, OGC Senior Counsel for Ethics

Hi there,

You are possibly interested in accepting a compensated activity as a journal editor. I have advised you that you may accept the position and the compensation, but only in your personal capacity with certain caveats:

- 1) You may not use government time, equipment or resources at all to work on this outside activity. Because you will be compensated, the Agency's *de minimis* use of government equipment policy does not apply to you;
- 2) You can't ever use nonpublic information or the EPA seal in association with this work;
- 3) You will be restricted by 18 USC 203, the representational conflicts of interest law, from representing the interest of the journal back to the United States (including any other federal employee). I explained that this restriction precludes you from asking other feds, as part of their official duty, to review, write or edit with or for the journal. You may, though, engage with them in their personal capacity; and
- 4) I should also have mentioned that if any of the articles deal in substantive part with ongoing EPA programs, policies or operations, then you shouldn't work on those. You can't be compensated for any activity that relates to official duty, which includes those EPA policies, programs or operations, whether you work on them or not.

I advised you to seek prior approval of the outside activity, which you do by writing an email to your Deputy Ethics Official (through your immediate supervisor, if different from your DEO). Please address the following:

- name, title and grade;
- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;
- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);
- the estimated time to be devoted to the activity;
- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);
- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;
- the basis for compensation (e.g., fee, per diem, per annum, etc.)
- a statement that you have read, are familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations); and
- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided.

Finally, be sure to get a copy of the approval to me for your records here, and remember to report that position and income on your next financial disclosure report.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Fugh, Justina

From: Fugh, Justina
Sent: Monday, October 09, 2017 11:30 AM
To: (b) (6)
Cc: Ward, Mary-Beth
Subject: RE: follow up advice ...

(b) (6)

The supplemental ethics regulation requires concurrence, not approval, from the first level supervisor. That's why I wrote that I need to "see that the chief judge is aware," meaning that I needed confirmation from the lead judge – not you as the requestor – indicating no objections. Having received such confirmation, see below.

APPROVAL OF OUTSIDE ACTIVITY

I have received your request to engage in outside activity for compensation as an adjunct faculty member at the Villanova University Charles Widger School of Law. You wish to teach one law school course entitled "Natural Resources Law" during the Spring of 2018 (January-May 2018) academic semester. Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

Financial Conflicts of Interest

Because you will be compensated by Villanova University, you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve Villanova University as a specific party (e.g., whether the Chief EAB Judge should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if Villanova University is an expected applicant).

You will need to report the income from this outside activity on Part 2 of the relevant financial disclosure statement, and the outside position on Part 1.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as an adjunct faculty member, you cannot contact the US government on behalf of Villanova University, which may include contacting federal employees to speak before your law school classes.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.

From: (b) (6)
Sent: Monday, October 02, 2017 7:11 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Lynch, Mary-Kay <Lynch.Mary-Kay@epa.gov>; Ward, Mary-Beth <Ward.Mary-Beth@epa.gov>
Subject: Fwd: follow up advice ...

Justina:

Below is the email I referenced in my email of a few minutes ago, which provides "We'll just need to see that the chief judge is aware of the situation (no approval by that person is required)."

(b) (6)

cc: Mary Kay and Mary Beth

Sent from my iPhone

Begin forwarded message:

From: "Fugh, Justina" <Fugh.Justina@epa.gov>
Date: September 27, 2016 at 3:13:29 PM EDT
To: (b) (6)
Subject: follow up advice ...

Hi (b) (6)

In the event that you decide to renew your appointment with Villanova, you'll have to seek prior approval of the outside activity by sending an email through your immediate supervisor (whoever is the chief judge at the time) to me. We'll just need to see that the chief judge is aware of the situation (no approval by that person is required). Your note should address the following:

- name, title and grade;
- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;
- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);
- the estimated time to be devoted to the activity;
- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);
- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;

- the basis for compensation (e.g., fee, per diem, per annum, etc.)
- a statement that you have read, are familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities") and Section 6401.103 (EPA's Supplemental Regulations); and
- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided.

I'll provide you with the necessary approval and reminders about what you can/can't do on government time, as well as a reminder about not representing back to the US government on behalf of the university.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Fugh, Justina

From: Fugh, Justina
Sent: Friday, August 05, 2016 4:17 PM
To: (b) (6)
Cc: Cavanaugh, Charles; Barnet, Henry; Cheatham, Reggie
Subject: approval of your outside activity

Hi (b) (6)

You wish to engage in an outside activity as the founder of Sirens and Sparrows, an LLC that will produce "hand-made cruelty-free (vegan) health and beauty products" and develop a brand based clothing and accessory line. Because you are currently acting in an SES position, I have advised you that I will be review your request for the outside activity and then copy your current supervisor (and DEO), Henry Barnet, and also Reggie Cheatham, who is the supervisor in your home office.

I am approving your request but remind you to adhere to the following ethical reminders. Also, when you return to your home office, you will need to ask Reggie anew for approval since your assigned EPA duties will change.

ETHICS REMINDERS:

- 1) You are permitted to use government time, equipment or resources to work on this outside activity and should not refer to your EPA position or title in connection with the outside activity. You are not representing the Agency or the US Government in this personal endeavor.
- 2) You will have a financial conflict of interest with Sirens and Sparrows. Under the financial conflict of interest statute, 18 USC § 208, the interests of any outside entity in which employees serve as a director or officer are imputed to them (the same as a spouse's or a dependent child's). When employees hold officer positions, they have to recuse themselves from engaging in official EPA duties in any way that will have a direct and predictable financial effect upon the interests of the non-federal entity, either as a specific party or as a member of a class. 5 CFR Part 2635, Subpart D.
- 3) You hope to be compensated in the future, but don't expect to be right away. Just know that you are subject to the representational conflict of interests statutes at 18 USC § 203 and 205. You cannot serve as agent or attorney on behalf of Sirens and Sparrows (or any other entity, for that matter) back to any official of the federal government. This restriction applies even though the representation occurs on personal time. Federal employees cannot represent any outside entity as agent or attorney in connection with any matter in which the United States is a party or has a direct and substantial interest. If you want to apply for a Small Business Administration loan, you should consult with OGC/Ethics for advice.
- 4) When engaged in the outside activity, you cannot make reference to his EPA position or title, except as one of three biographical details, with EPA not having any undue prominence. 5 CFR § 2635.807(b).
- 5) You cannot use his federal position to further any outside fundraising or capital raising efforts. In addition, you have some restrictions when engaged in fundraising (even on your own time). 5 CFR 2635.808. You cannot ever personally solicit funds from a subordinate nor from any person who is an Agency prohibited source. We define "prohibited source" as any entity or person who is doing business with the Agency, seeks to do business with the Agency or is regulated by the Agency.
- 6) Because this is a business, you cannot use any EPA equipment, including phones/workspace/computer/time. The Agency's Limited Personal Use of Equipment policy, found at <http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2101-0.pdf>, states that there is no de minimis use of EPA equipment to further any outside business.
- 7) Don't sell or advertise on federal property, to subordinates or colleagues, or while using EPA equipment, property or time.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: (b) (6)
Sent: Wednesday, July 27, 2016 10:09 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Cavanaugh, Charles <Cavanaugh.Charles@epa.gov>
Subject: RE: seeking approval of the outside activity

Good morning Justina – thank you for sending all of the information below. I'm more doing this to support a friend but will have some involvement as she gets things rolling but I can assure you none of this will be done on government time or using government property. Here is all the information you requested, please let me know if you need anything else. Thanks again!

- (b) (6) Acting Director of NEIC, GS-15 (but acting in SES position for 120 days)
- Nature of Business and expected earnings: The business will produce hand-made cruelty-free (vegan) health and beauty products (chapsticks, lotions, body scrubs etc) and will develop a brand based clothing and accessory line. When (and if) profitable, a percentage of proceeds will be donated to animal rescue. Zero compensation is expected this calendar year and anticipation of future compensation is limited. At this point in time, I hope to get my initial investment back in calendar year 2017 and if all goes well 50% of future profits beyond 2017.
- The LLC is titled Sirens and Sparrows and it is jointly owned by (b) (6). This is not a service or consulting based business so there will not be clients. When the online retail store eventually launches, I do not know how many people will become customers.
- the estimated time to be devoted to the activity: This business will be primarily run by (b) (6). I anticipate devoting about 5 hours per week to the LLC.
- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required: I will not perform any duties or activities related to the LLC business during my normal duty hours and will not be requesting absence from work to support this venture.
- No official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the business Sirens and Sparrows.
- the basis for compensation (e.g., fee, per diem, per annum, etc.): based on profit for retail sales after recovering all startup costs annually
- I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 ([Subpart H on "Outside Activities"](#)) and Section 6401.103 ([EPA's Supplemental Regulations](#));
- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided. This is not applicable as this business has nothing to do with EPA.

(b) (6)

(b) (6)

Acting Director, National Enforcement and Investigations Center
Office of Criminal Enforcement, Forensics, and Training
U.S. EPA

(b) (6)

From: Fugh, Justina
Sent: Wednesday, July 27, 2016 7:12 AM
To: (b) (6)
Cc: Cavanaugh, Charles <Cavanaugh.Charles@epa.gov>
Subject: seeking approval of the outside activity

Hi,

You have founded a small online retail business to sell handmade health and beauty products and a clothing line. Particularly because you are a supervisor and currently acting in an SES position, I advised you out of an abundance of caution to seek approval of the outside activity. While not necessarily required, doing so will allow you to be counseled appropriately about your ethics implications. I will copy your current Office Director, Henry Barnet, as well as Reggie Cheatham, who is your Deputy Ethics Official in your position of record. When you return to your home office, Reggie should renew the approval since work duties will change.

For this request for approval, please send me an email with the following information addressed:

- your name, title and grade;
- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;
- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);
- the estimated time to be devoted to the activity;
- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);
- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;
- the basis for compensation (e.g., fee, per diem, per annum, etc.);
- a statement that you have read, are familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities") and Section 6401.103 (EPA's Supplemental Regulations); and
- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided.

For this request – since it's prudential as opposed to required – you do not need to get the concurrence of your supervisor. Instead, send the request directly to me. I will then provide you with ethics advice, which I implore you to follow. You may recall that a former career SESer was investigated by the EPA IG for selling consumer products on government time, using government email, to subordinates. Don't be that person.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Fort, Daniel

From: Fugh, Justina
Sent: Tuesday, February 23, 2016 3:46 PM
To: Fort, Daniel
Subject: Fwd: for (b) (6) approval of your request for outside employment
Attachments: (b) (6) outside employment approval request 2-2016.pdf; ATT00001.htm

Please print out and put in (b) (6) file so we don't forget. Thanks!

Sent from my iPhone

Begin forwarded message:

From: "Breen, Barry" <Breen.Barry@epa.gov>
Date: February 23, 2016 at 12:43:57 PM PST
To: (b) (6)
Cc: "Thornton, Kecia" <Thornton.Kecia@epa.gov>, "Fugh, Justina" <Fugh.Justina@epa.gov>
Subject: for (b) (6) approval of your request for outside employment

Dear (b) (6)

As reflected in the attached, your request for engaging in this outside activity is approved, with the following important reminders:

Outside Activity and Financial Conflict of Interests

Because you are the owner/operator of Petey's Tackle LLC and Afternoon Delight, you have a financial conflict of interest with them. As part of your official EPA duties, you cannot engage in any official duty that will have a direct and predictable effect upon the financial interests of these entities, either as specific parties or as members of a class. I don't anticipate that there will be any conflict with your EPA duties, but remind you of this obligation nonetheless.

Outside Activity and the Representation Ban

Pursuant to 18 USC § 203, you can't serve as agent or attorney on behalf of another entity – including these businesses – back to the federal government. This restriction applies even if the representation occurs on personal time. You can't represent them back to the government in connection with any matter in which the United States is a party or has a direct and substantial interest, so be careful about a tax audit or an SBA loan document or other transaction.

Outside Activity and Misuse of Position

When engaged in outside activity, you cannot make reference to your EPA positions or titles, except as one of three biographical details, with EPA not having any undue prominence. 5 CFR § 2635.807(b). Do not use EPA equipment or email to further the business activity, do not use EPA time or resources at all, and do not target subordinates.

Outside Activity and Use of EPA Time

All activity associated with these businesses must be carried out on your own time and not with or on EPA property. There is no *de minimis* use of telephone and computer equipment because

you are compensated for this activity. See the Agency's Limited Personal Use of Equipment policy, found at <http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2101-0.pdf>.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

FEB 12 2016

MEMORANDUM

SUBJECT: Request for Approval of Outside Employment

FROM: (b) (6) Director (b) (6)
Office of Emergency Management

TO: Barry Breen, Deputy Ethics Official-Deputy Assistant
Administrator, OSWER

I request approval of outside employment based on the following information:

Employees's Title and Grade

(b) (6) Director (ES)
Office of Emergency Management

Explain the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected. Indicate the basis for compensation (e.g. fee, per diem, per annum etc.).

I am the owner and operator of Petey's Tackle LLC, a retail sporting goods store focused on the sale of fishing supplies. Compensation is based on profit from gross sales minus capital reinvestment. I am also the owner and operator of Afternoon Delight, a licensed commercial fishing operation for wholesale to licensed seafood buyers. Compensation is based on the sale of fish to licensed seafood buyers.

List the name, business, and address of the person or organization for which the work will be done. (In the case of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months).

Petey's Tackle LLC
115 Christmas Street
Hague, VA 22469

Retail customers via face to face sales and ecommerce estimated to be greater than (b) (6)

Afternoon Delight
115 Christmas Street
Hague, VA 22469

The sale of fish to licensed seafood buyers estimated to be less than 5 licensed commercial buyers.
List the estimated time to be devoted to the activity.

Petey's Tackle LLC: 10-15 hours per week
Afternoon Delight: 8 hours per week

State whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required).

Petey's Tackle LLC and Afternoon Delight operate mainly on weekends and through ecommerce. All functions and activities are performed outside normal duty hours.

The employee's statement that no official duty time or Government property, resources, or facilities not available to the general public will be used.

No official duty time or Government property, resources, or facilities not available to the general public will be used

The employee's statement that he or she has read, is familiar with, and will abide by the restrictions described in 5 CFR part 2635 and Section 6401.102.

I have read, familiar with, and will abide by the restrictions described in 5 CFR part 2635 and Section 6401.102.

List the assistance agreements or contracts involved, if the outside employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts. Provide full details for any service which involves preparing grant applications, contract proposals or program reports.

None

Approved:  _____
Deputy Ethics Official Date 2/19/2016

Disapproved: _____
Deputy Ethics Official Date

NOTE: If there is a change in the nature or scope of the duties or services performed or the nature of the employee's business, the employee must submit a revised request for approval prior to effecting the change.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

SEP 12 2018

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6) Director
Office of Community Revitalization
Office of Policy

I have received your request to continue to engage in outside activity as an adjunct professor at George Washington University's Arlington campus in their sustainable urban planning program. You indicate that this position will be compensated (approximately (b) (6)), and you will be teaching one course entitled "Sustainable Urban Planning II: Reading Cities and Towns."

Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, either at the university or at EPA. I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by George Washington University (GWU), you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest. You should therefore not participate as part of your EPA duties in any matter that will have a direct and predictable financial effect upon GWU. You cannot work on particular matters that involve GWU as a specific party (e.g., whether the Associate Administrator should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if GWU is an expected applicant).

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. This rule applies to you even though you are uncompensated. See 18 U.S.C. § 205. In your capacity as an affiliate adjunct professor, you cannot contact the U.S. government or any official on behalf of GWU, which includes contacting federal employees to speak as part of their official duties before your class.

Misuse of Position

Because this position is compensated, you are never permitted to use EPA time, resources or property to further the activity. You cannot set "office hours" with students during official EPA time. There is no *de minimis* use of EPA resources for any compensated outside activity.

Financial Disclosure Report

Please remember that you will have to report the outside position and the compensation on your financial disclosure report that covers CY 2018 (which is due May 15, 2019).


* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.

MEMORANDUM

DATE: October 5, 2016

SUBJECT: Request for Approval for Outside Employment

TO: Nathan Gentry 
Alternate Deputy Ethics Official

Christopher Robbins, Acting Deputy Assistant Administrator for Management
Deputy Ethics Official 

FROM: (b) (6) Director Environmental Technology Innovation Cluster
Development and Support Program, IOAA/ORD, SES

I am formally requesting permission to accept an opportunity to participate as a member of an evaluation panel for the European Commission Water JPI Joint Call in Lisbon, Portugal on November 7 – 10, 2016. The *Supplemental Standards of Ethical Conduct for Employees of the Environmental Protection Agency*, requires that the employee's request for approval of outside employment shall be submitted in writing to his or her Deputy Ethics Official." This memorandum serves that purpose.

Nature of the activity: WaterWorks2015 aims at supporting research and innovation in the Water RDI domain covering the agriculture, forestry and freshwater fisheries sectors. Approximately 25 million euros will be invested in research projects in the call that was launched in January 2016 for EU countries. The one-time activity is to evaluate reports (approximately 10 reports, with each proposal having a 15 page scientific document, plus around 10 pages for CVs, Budget Tables and Letters of Commitment) and to participate in a face-to-face review meeting. This review process is technical in nature and will not include any voting or decision-making regarding the funding of any of the proposals. US countries were not eligible to apply and I have no relationship with any of the submitting institutions.

Amount of compensation expected:

-Travel airfare and accommodation are covered. Transportation from and to the airport and any necessary meals are covered on a reimbursement system with the original receipts.

(Approximately (b) (6)

-Honoraria fee around (b) (6) before taxes.

-The name & business of the person/ organization for which the work will be done:

Rui Munhá, PhD.

WaterWorks 2015 Call Secretariat

Comité de Altos Funcionários COST Association, Grupo ERA-NET & JPI, Departamento das Relações Internacionais, COST Association Committee of Senior Officials, ERA-NET & JPI group, Department of International Relations

FCF – Fundação para a Ciência e a Tecnologia

Av. D. Carlos I, 126, 1249-074 Lisboa, Portugal

T: [+351] 213 911 538

ww2015@fct.pt | www.fct.pt

The estimated time to be devoted to the activity:

There will be approximately 20 hours devoted to review of the proposals and approximately 30 hours spent travelling to and from Lisbon and participating in the technical review.

Whether the service will be performed entirely outside of normal duty hours.

All of the time needed to perform the review of the proposals and travel to and participate in the technical review meeting will be done on accrued annual leave and on weekends. All of the activity will be conducted outside of normal duty hours.

Identification of any EPA assistance agreements for contracts held by a person to or for whom services would be provided.

There are no existing assistance agreements or other arrangements with the group requesting my participation.

I will use no official duty time or Government property, resources, or facilities not available to the general public in this endeavor. I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102.

(b) (6)

_____ Date: __October 5, 2016__



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

JUN 13 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Deputy Assistant Administrator
Office of International and Tribal Affairs

I have received your request to engage in outside activity for compensation as an adjunct faculty member at the Columbus School of Law at Catholic University. You wish to teach one law school course entitled "Administrative Law." Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by Catholic University, you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve Catholic University as a specific party (e.g., whether the Assistant Administrator should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if Catholic University is an expected applicant).

You will need to report the income from this outside activity on Schedule A of your financial disclosure statement, and the outside position on Schedule D.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as an adjunct faculty member, you cannot contact the US government on behalf of Catholic University, which may include contacting federal employees to speak before your law school classes.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

1000-1/31/17

FEB 24 2017

MEMORANDUM

Office of
International and
Tribal Affairs

SUBJECT: Request for Approval of Outside Activities

FROM:

(b) (6)

Deputy Assistant Administrator
Office of International and Tribal Affairs

(b) (6)

TO:

Justina Fugh
Alternate Agency Ethics Official

I am sending this memorandum to you in your role as the Ethics Official for my position. The purpose of this memorandum is to request your approval for me to engage in outside employment, to wit, teaching a course at the Columbus School of Law at the Catholic University of America.

I will be teaching a course at the law school entitled "Administrative Law." I am expected to teach thirty seventy-five minute courses between August and November, 2017. The course meets on Tuesday and Thursday evenings after my regular work hours. My duties including preparation of the syllabus and lectures for the course, teaching the actual course sessions, and grading exams after the course is concluded. For these duties, I will be compensated (b) (6) for the course. For the work prior to and after the conclusion of the course sessions, I estimate I will spend approximately thirty to fifty hours, all of which I will perform while off-duty from EPA. Although the subject matter of the course does relate at least somewhat to my official duties, I was hired for my expertise in the subject matter rather than my official position, and my ability to accept compensation for this teaching falls within the exception for regularly-scheduled course sessions at an accredited institution.

I can certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment. I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635, Subpart H ("Outside Activities") and Section 6401.102 (EPA Supplemental Regulations). I do not manage any EPA assistance agreements or contracts held by Catholic University.

I have taught a different course ("Environmental Law") at Catholic in the past under the same terms, and I expect to teach one course or the other in future years. For that reason, I would request that the approval for this request remain in effect under the same terms for the next five years.

///

If you have any questions or concerns, please feel free to contact me at (202) 564-5474.
Thank you for your consideration of these requests.

APPROVE: _____

DO NOT APPROVE: _____

Justina Fugh



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

MAR 02 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Deputy Assistant Administrator
Office of International and Tribal Affairs

I have received your request to engage in outside activity for compensation as an adjunct faculty member at the Columbus School of Law at Catholic University. You wish to teach one law school course entitled "Administrative Law." Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by Catholic University, you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve Catholic University as a specific party (e.g., whether the Assistant Administrator should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if Catholic University is an expected applicant).

You will need to report the income from this outside activity on Schedule A of your financial disclosure statement, and the outside position on Schedule D.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as an adjunct faculty member, you cannot contact the US government on behalf of Catholic University, which may include contacting federal employees to speak before your law school classes.

Misuse of Position

Because you will be compensated, you cannot use any EPA equipment, including phones, workspace, computer or time. The Agency's Limited Personal Use of Equipment policy states that there is no *de minimis* use of EPA equipment to further any compensated outside activity. So you cannot even use your work station after business hours.

In addition, you cannot refer solely to your EPA position or title in connection with this outside activity. Any biographical information must also reference other significant biographical details (at least two others) with EPA not having any undue prominence. See 5 CFR § 2635.807(b).

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

March 23, 2018

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Request for Approval of Outside Activities

FROM:

(b) (6)

(b) (6)

Director

Enforcement Targeting and Data Division

TO:

John Dombrowski

Deputy Director

Office of Compliance


I am sending this memorandum to you in your role as the Ethics Official for my position. The purpose of this memorandum is to request your approval for me to engage in outside employment, to wit, teaching a course at the Columbus School of Law at the Catholic University of America.

I will be teaching a course at the law school entitled "Environmental Law." I am expected to teach thirty seventy-five minute courses between August and November, 2018. The course meets on Tuesday and Thursday evenings after my regular work hours. My duties including preparation of the syllabus and lectures for the course, teaching the actual course sessions, and grading exams after the course is concluded. For these duties, I will be compensated (b) (6) for the course. For the work prior to and after the conclusion of the course sessions, I estimate I will spend approximately thirty to fifty hours, all of which I will perform while off-duty from EPA. Although the subject matter of the course does relate at least somewhat to my official duties, I was hired for my expertise in the subject matter rather than my official position, and my ability to accept compensation for this teaching falls within the exception for regularly-scheduled course sessions at an accredited institution.

I can certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment. I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635, Subpart H ("Outside Activities") and Section 6401.102 (EPA Supplemental Regulations). I do not manage any EPA assistance agreements or contracts held by Catholic University.

I have taught a different course ("Administrative Law") at Catholic in the past under the same terms, and I expect to teach one course or the other in future years. For that reason, I would request that the approval for this request remain in effect to teach either course under the same terms for the next five years.

If you have any questions or concerns, please feel free to contact me at (202) 564-5474. Thank you for your consideration of these requests.

APPROVE:  _____

DO NOT APPROVE: _____



John Dombrowski



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB - 2 2018

MEMORANDUM

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

SUBJECT: Request for Approval of Outside Activities

FROM:

(b) (6)

(b) (6)

Director, Enforcement and Compliance Assurance Data Division

TO:

John Dombrowski

Deputy Director, Office of Compliance

I am sending this memorandum to you in your role as the Ethics Official for my position. The purpose of this memorandum is to request your approval for me to engage in three outside activities: 1) teaching a course at the Vermont Law School, 2) serving on the ABA Environment Section Book Publishing Board, and 3) participating in a CLE program sponsored by the Environmental Law Institute. I previously obtained approval for these activities in my prior position from Justina Fugh, based on a very similar version of this memo.

I will be teaching a course at the law school entitled "Environmental Enforcement and Compliance." I am expected to teach eight three-hour courses over a two week period in the summer to JD, LLM, and Masters students enrolled at the school. I have taught at the school each summer since 1998 except for 2003; 2018 will be the seventh time I will teach the environmental enforcement course. My duties including preparation of the syllabus and lectures for the course, teaching the actual course sessions, and grading exams after the course is concluded. For these duties, I will be compensated (b) (6) for the course. For the work prior to and after the conclusion of the course sessions, I estimate I will spend approximately thirty hours, all of which I will perform while off-duty from EPA. To teach the course sessions themselves, I will take two weeks of annual leave in July. Although the subject matter of the course does relate to my official duties, I was hired for my expertise in the subject matter rather than my official position, and my ability to accept compensation for this teaching falls within the exception for regularly-scheduled course sessions at an accredited institution.

For the ABA, I serve as Chair of the Book Publishing Board of the Section of Environment, Energy and Natural Resources ("SEER"). In that capacity, I help to select titles for publication by SEER, work with authors and editors of the publications to ensure projects stay on schedule, locate peer reviewers for the publications, convene meetings of the Board, and work with staff of the ABA on publication matters. I am not compensated for my work on the Board, except that I do receive free copies of section publications and, occasionally, travel reimbursement. I declare these as gifts on my OGE-278 form as appropriate. I participate in Board activities during my lunch hour or by taking annual leave. Although the subject matter of the Section's publications relates to EPA policies and programs in many cases, I was appointed for my expertise in the subject matter rather than my official position.

For ELI, I will be teaching a 2-hour continuing legal education course entitled "Resource Conservation and Recovery Act." The course is part of a larger program called the "ELI Boot Camp," a 3-day introduction to environmental law offered annually in November. My duties include preparation of the PowerPoint slides and supplemental reading materials for the course and teaching the actual course session. I will not be compensated for this work. I will take annual leave to teach the course session. Although the subject matter of the course does relate to EPA policies and programs, I was appointed for my expertise in the subject matter rather than my official position.

I can certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment, with the exception of an occasional e-mail, the ABA Book Publishing Board or ELI, and monthly conference calls with the Book Publishing Board during my lunch hour. Since the VLS position is compensated, I use no Government resources at all. I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635, Subpart H ("Outside Activities") and Section 6401.102 (EPA Supplemental Regulations). I do not manage any EPA assistance agreements or contracts held by VLS, the ABA or ELI.


I have taught at VLS, served on the Book Publishing Board, and taught the Boot Camp program for a number of years, and expect to do so in future years. For that reason, I would request that the approval for these requests remain in effect under the same terms for the next five years.

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If you have any questions or concerns, please feel free to contact me at (202) 564-5474.
Thank you for your consideration of these requests.

APPROVE:  _____

DO NOT APPROVE: _____



John Dombrowski



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

APR 18 2016

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Deputy Assistant Administrator
Office of International and Tribal Affairs

I have received your request to engage in outside activity for compensation as an adjunct faculty member at the Columbus School of Law at Catholic University. You wish to teach one law school course entitled "Environmental Law." Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by Catholic University, you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve Catholic University as a specific party (e.g., whether the Assistant Administrator should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if Catholic University is an expected applicant).

You will need to report the income from this outside activity on Schedule A of your financial disclosure statement, and the outside position on Schedule D.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as an adjunct faculty member, you cannot contact the US government on behalf of Catholic University, which may include contacting federal employees to speak before your law school classes.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

APR 08 2016

Office of
International and
Tribal Affairs

MEMORANDUM

SUBJECT: Request for Approval of Outside Employment

FROM: (b) (6)
Deputy Assistant
Office of Interna

(b) (6)

TO: Justina Fugh
Alternate Agency Ethics Official
Office of General Counsel

The purpose of this memorandum is to request your approval for me to engage in outside employment, to wit, teaching a course at the Columbus School of Law at the Catholic University of America.

I will be teaching a course at the law school entitled "Environmental Law." I am expected to teach thirty seventy-five minute courses between August and November, 2016. The course meets on Monday and Wednesday evenings after my regular work hours. My duties including preparation of the syllabus and lectures for the course, teaching the actual course sessions, and grading exams after the course is concluded. For these duties, I will be compensated (b) (6) for the course. For the work prior to and after the conclusion of the course sessions, I estimate I will spend approximately thirty to fifty hours, all of which I will perform while off-duty from EPA. Although the subject matter of the course does relate to my official duties, I was hired for my expertise in the subject matter rather than my official position, and my ability to accept compensation for this teaching falls within the exception for regularly-scheduled course sessions at an accredited institution.

I can certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment. I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635, Subpart H ("Outside Activities") and Section 6401.102 (EPA Supplemental Regulations). I do not manage any EPA assistance agreements or contracts held by Catholic University. I have taught at Catholic in the past (Fall 2014), and expect to do so in future years. For that reason, I would request that the approval remain in effect for five years.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUN 09 2015

Office of
International and
Tribal Affairs

MEMORANDUM

SUBJECT: Request for Approval of Outside Activities

FROM: (b) (6) (b) (6)
Deputy Assistant
Office of International Affairs

TO: Justina Fugh
Alternate Agency Ethics Official

I am sending this memorandum to you in your role as the Ethics Official for my position. The purpose of this memorandum is to request your approval for me to engage in three outside activities: 1) teaching a course at the Vermont Law School, 2) serving on the ABA Environment Section Book Publishing Board, 3) writing two chapters for the ABA Section on the Clean Water Act, and 4) participating in a CLE program sponsored by the Environmental Law Institute. I previously had obtained approval for these activities (except number 2) while serving on the EAB. In addition, I shared a very similar version of this memo with Jennie Keith in 2013 at the request of Diane Bazzle; Jennie had no comments on the memo at that time.

I will be teaching a course at the law school entitled "Environmental Enforcement and Compliance." I am expected to teach eight three-hour courses over a two week period in the summer to JD, LLM, and Masters students enrolled at the school. I have taught at the school each summer since 1998 except for 2003; 2015 will be the fourth time I will teach the environmental enforcement course. My duties including preparation of the syllabus and lectures for the course, teaching the actual course sessions, and grading exams after the course is concluded. For these duties, I will be compensated (b) (6) for the course. For the work prior to and after the conclusion of the course sessions, I estimate I will spend approximately thirty hours, all of which I will perform while off-duty from EPA. To teach the course sessions themselves, I will take two weeks of annual leave in June. Although the subject matter of the course does relate to my official duties, I was hired for my expertise in the subject matter rather than my official position, and my ability to accept compensation for this teaching falls within the exception for regularly-scheduled course sessions at an accredited institution.

For the ABA, I serve on the Book Publishing Board of the Section of Environment, Energy and Natural Resources ("SEER"). In that capacity, I help to select titles for publication by SEER, work with authors and editors of the publications to ensure projects stay on schedule,

and locate peer reviewers for the publications. I also serve as a peer reviewer for several of the publications. In August, 2015, I will become the Chair of the Board, with responsibility for convening meetings of the Board and working with staff of the ABA on publication matters. I am not compensated for my work on the Board, except that I do receive free copies of section publications and, occasionally, travel reimbursement. I declare these as gifts on my OGE-278 form as appropriate. I participate in Board activities during my lunch hour or by taking annual leave. Although the subject matter of the Section's publications relates to EPA policies and programs in many cases, I was appointed for my expertise in the subject matter rather than my official position.

In addition, I have been asked to draft two chapters for SEER's publication, "The Clean Water Act Handbook" (Fourth Edition). The two chapters are entitled "NPDES Permit Application and Issuance Procedures" and "Wet Weather Regulations: Control of Stormwater and Discharges from Concentrated Animal Feeding Operations and Other Facilities." For the latter chapter, I will work with a co-author. I also wrote/co-wrote these two chapters for the second and third editions of the Handbook. I will not be compensated for this work, although I will receive a free copy of the book, which I will declare on my OGE-278 form if appropriate. Although the subject matter of these chapters relates to EPA policies and programs, I was appointed for my expertise in the subject matter rather than my official position.

For ELI, I will be teaching a 2-hour continuing legal education course entitled "Resource Conservation and Recovery Act." The course is part of a larger program called the "ELI Boot Camp," a 3-day introduction to environmental law offered annually in November. My duties include preparation of the PowerPoint slides and supplemental reading materials for the course and teaching the actual course session. I will not be compensated for this work. I will take annual leave to teach the course session. Although the subject matter of the course does relate to EPA policies and programs, I was appointed for my expertise in the subject matter rather than my official position.

I can certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment, with the exception of an occasional e-mail, the ABA Book Publishing Board or ELI, and monthly conference calls with the Book Publishing Board during my lunch hour. Since the VLS position is compensated, I use no Government resources at all. I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635, Subpart H ("Outside Activities") and Section 6401.102 (EPA Supplemental Regulations). I do not manage any EPA assistance agreements or contracts held by VLS, the ABA or ELI.

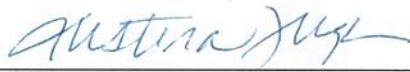
I have taught at VLS, served on the Book Publishing Board, and taught the Boot Camp program for a number of years, and expect to do so in future years. For that reason, I would request that the approval for these requests remain in effect under the same terms for the next five years. I will seek further approval if asked to write for future editions of the Handbook.

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If you have any questions or concerns, please feel free to contact me at (202) 564-5474.
Thank you for your consideration of these requests.

APPROVE:  _____

DO NOT APPROVE: _____

 6/15/15

Justina Fugh

Fugh, Justina

From: Fugh, Justina
Sent: Monday, June 15, 2015 11:23 AM
To: (b) (6)
Subject: approval of your outside activity
Attachments: approval for (b) (6) signed.pdf

Hi (b) (6)

Attached please find the approval of your requested outside activity. You will be teaching a course at Vermont Law School, serving on the ABA Environment Section Book Publishing Board, writing two chapters for the ABA Section on the Clean Water Act, and participating in a CLE program sponsored by the Environmental Law Institute. I am taking this opportunity to remind you of your ethical obligations:

Outside Activity and Financial Conflict of Interests

Under the financial conflict of interest statute, 18 USC § 208, the interests of any outside entity in which serve as an employee are imputed to you (the same as a spouse's or a dependent child's). You have to recuse yourself from engaging in official EPA duties in any way that will have a direct and predictable financial effect upon the interests of the non-federal entity, either as a specific party or as a member of a class. 5 CFR Part 2635, Subpart D.

Outside Activity and the Representation Ban

Under 18 USC § 205, you cannot serve as agent or attorney on behalf of another entity back to the federal government. This restriction applies even if the representation is unpaid and the representation occurs on personal time. A different criminal conflict of interest law, 18 USC § 203, prevents employees from serving as agent or attorney for another back to the federal government for compensation, even in their own time. Federal employees cannot represent outside entities as agent or attorney in connection with any matter in which the United States is a party or has a direct and substantial interest.

Official Duty and the Impartiality Standard

Just a note: even if you are a member of an outside organization, but not an officer or director, you still have a "covered relationship" with it under the impartiality standards at 5 CFR Part 2635, Subpart E. You should not engage in official duties in a way that would lead a reasonable person with knowledge of the relevant facts to question your ability to be impartial with regard to the non-federal entity. OGC/Ethics should be consulted if you were to, for example, engage in official duties at the same conference at which you are participating in your personal capacity.

Outside Activity and Reference to EPA Position

When engaged in outside activity — even on an excused absence — you cannot make reference to your EPA positions or titles, except as one of three biographical details, with EPA not having any undue prominence. 5 CFR § 2635.807(b).

Outside Activity and Fundraising

You cannot use your federal position to further any outside fundraising efforts. In addition, you have some restrictions when engaged in fundraising (even on your own time). 5 CFR 2635.808. You cannot personally solicit funds from a subordinate nor from any person who is an Agency prohibited source. We define "prohibited source" as any entity or person who is doing business with the Agency, seeks to do business with the Agency or is regulated by the Agency. This advice does NOT mean that you cannot be involved in fundraising generally. You can still come up with the list of names of possible targets, write the letters, etc., but you should not be the person who signs that letter or makes the pitch directly.

Outside Activity and Misuse of Position

You cannot use EPA resources — including subordinates, time or equipment — in connection with any of your compensated outside activity. For uncompensated outside activity, you must abide by the Agency's Limited Personal Use of Equipment policy, found at <http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2101-0.pdf>. Under this policy, de minimis use of telephone and computer equipment may be allowed by the supervisor, but only if the outside activity is unpaid.

Best regards,
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 24 2014

ENVIRONMENTAL APPEALS BOARD

MEMORANDUM

SUBJECT: Request for Approval of Outside Employment

FROM:

(b) (6)

Judge

Environm

(b) (6)

TO:

Leslye M. Fraser

Lead Judge

Environmental Appeals Board

I am sending this memorandum to you in your role as Deputy Ethics Official for the Environmental Appeals Board. The purpose of this memorandum is to request your approval for me to engage in outside employment, to wit, teaching a course at the Columbus School of Law at the Catholic University of America.

I will be teaching a course at the law school entitled "Environmental Law." I am expected to teach thirty seventy-five minute courses between August and November, 2014. The course meets on Monday and Wednesday evenings after my regular work hours. My duties including preparation of the syllabus and lectures for the course, teaching the actual course sessions, and grading exams after the course is concluded. For these duties, I will be compensated (b) (6) for the course. For the work prior to and after the conclusion of the course sessions, I estimate I will spend approximately thirty to fifty hours, all of which I will perform while off-duty from EPA. Although the subject matter of the course does relate to my official duties, I was hired for my expertise in the subject matter rather than my official position, and my ability to accept compensation for this teaching falls within the exception for regularly-scheduled course sessions at an accredited institution.

I can certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment, with the exception of an occasional e-mail to or from members of Catholic University. I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635, Subpart H ("Outside Activities") and Section 6401.102 (EPA Supplemental Regulations). I do not manage any EPA assistance agreements or contracts held by Catholic University.

If you have any questions or concerns, please feel free to contact me at (202) 564-5474. Thank you for your consideration of these requests.

APPROVE: 2/25/14

DO NOT APPROVE: _____

Leslye M. Fraser

Leslye M. Fraser



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY


Washington, D.C. 20460

JUL 25 2018

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh 
Alternate Designated Agency Ethics Official

TO: (b) (6) Director
Office of Compliance
Office of Enforcement and Compliance Assurance

I have received your request to engage in outside activity for compensation as an adjunct faculty member at the George Washington University, Trachtenberg School of Public Policy and Public Administration, in Washington DC. You wish to teach one graduate level course entitled "Designing More Effective Government Regulations." Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by George Washington University, you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest with it. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve George Washington University as a specific party (e.g., whether the Assistant Administrator should accept an invitation to speak at the University), unless you first consult with OGC/Ethics. I realize that you may work on matters of general applicability that involve other universities, but I determine that doing so does not raise any financial conflict of interest concerns at this time. Just do not work on any particular matters with George Washington University as a specific party.

Misuse of Position

You cannot use government time, resources, or property in connection with this outside activity.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as an adjunct faculty member, you cannot contact the US government on behalf of George Washington University, which may include contacting federal employees to speak before your law school classes.

Reporting on your financial disclosure report

You will need to report the income from this outside activity on Part 2 of your financial disclosure statement, and the outside position on Part 1.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

AUG 25 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6) Director
Office of Compliance
Office of Enforcement and Compliance Assurance

I have received your request to engage in outside activity for compensation as an adjunct faculty member at the George Washington University, Trachtenberg School of Public Policy and Public Administration, in Washington DC. You wish to teach one graduate level course entitled "Designing More Effective Government Regulations." Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by George Washington University, you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest with it. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve George Washington University as a specific party (e.g., whether the Assistant Administrator should accept an invitation to speak at the University), unless you first consult with OGC/Ethics. I realize that you may work on matters of general applicability that involve other universities, but I determine that doing so does not raise any financial conflict of interest concerns at this time. Just do not work on any particular matters with George Washington University as a specific party.

Misuse of Position

You cannot use government time, resources, or property in connection with this outside activity.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as an adjunct faculty member, you cannot contact the US government on behalf of George Washington University, which may include contacting federal employees to speak before your law school classes.

Reporting on your financial disclosure report

You will need to report the income from this outside activity on Part 2 of your financial disclosure statement, and the outside position on Part 1.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Computational Toxicology

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: September 3, 2013

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity **Adjunct Faculty UofL (gratis)**

FROM: (b) (6) PhD
Developmental Systems Biologist
National Center for Computational Toxicology

TO: Kevin Crofton, PhD
Acting Deputy Director
National Center for Computational Toxicology

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to renew my participation in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Answer each item completely. Do not answer 'N/A']

- 1) Employee's name: (b) (6) PhD
Title and grade: Systems Biologist, Title 42
- 2) **Nature of the outside activity, including a full description of the services to be performed:** Adjunct Faculty member, Department of Molecular, Cellular and Craniofacial Biology (MCCB), Birth Defects Center, University of Louisville (UofL) School of Dentistry. The description of services include: (a) scientific collaboration in the area of bioinformatics and

systems biology; (b) co-mentoring of dissertation research for students/fellows (TBN); (c) virtual office for 'Reproductive Toxicology', which Dr. Knudsen is Editor-in-Chief (see separate outside activity request).

and the amount of compensation to be expected;** None.

- 3) **The name and business of the person or organization for which the work will be done:** *Important Notice: The Emoluments Clause of the U.S. Constitution prohibits federal employees from accepting any gift, office, title or emolument, including salary or compensation from any foreign government except as authorized by Congress. Many foreign universities are arms of their government.*

Birth Defects Center (RM Greene, Director)

(in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months); _____

- 4) **The estimated time (hours/days) to be devoted to the activity;**
(Please indicate **exact dates** if known.)

1h per month

- 5) **Whether the service will be performed entirely outside of normal duty hours** (yes or no) No.

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71);

Will require occasional teleconferences and email communications.

- 6) **The basis for compensation** (e.g., fee, per hour, per diem, per annum, etc.) **and the total amount expected;**

- 7) **Identification of any assistance agreements or contracts held by the person to or for whom services will be provided.** (Must be answered, if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.) None.

* Employment means any form of non-Federal employment, business relationship, or activity involving

the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

****Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.**

1) **EMPLOYEE CERTIFICATION (Read and sign below)**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above for certain non-profit organization activities where I receive no compensation.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or

the U.S.

(b) (6)

Employee's signature

September 3, 2013
Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL



3 SEPT '13
Date

DISAPPROVAL

Date

outside activity ncct 2013



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Computational Toxicology

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: September 3, 2013

SUBJECT: Request for Approval to Engage in Outside Employment
or Other Outside Activity RTX

FROM: (b) (6) PhD
Developmental Systems Biologist
National Center for Computational Toxicology

TO: Kevin Crofton, PhD
Acting Deputy Director
National Center for Computational Toxicology

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to renew my participation in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Answer each item completely. Do not answer 'N/A']

- 1) Employee's name: (b) (6) PhD
Title and grade: Systems Biologist, Title 42

2) Nature of the outside activity, including a full description of the services to be performed: Editor-In-Chief, *Reproductive Toxicology*. This is an Elsevier journal published 8-times per year (6 regular issues, 2 special issues having guest editors). The current impact factor (2006) is 3.14. The duties of the Editor-In-Chief are as follows: (a) supervise Editorial Assistant, who tracks manuscript and

reviewer status through the online EES submission system; (b) solicits topical review articles and special issues; (c) pre-reviews all submissions (about 250-300 manuscripts per year) to determine which are sent out for scientific review and which are rejected without review; (d) assigns reviewers or Associate Editors; (e) informs authors of peer review outcome; (f) evaluates revised manuscripts for responsiveness to the reviewer comments; (g) decides final fate (accept/revise/reject); (h) edits accepted articles for scientific content; (i) communicates with Managing Editor in programming table of contents and article proofs; (j) selects / assigns Guest Editors for special issue; (k) solicits 4 new members of the Editorial Board each Year; (l) interacts with the Publishing Editor on journal affairs, metrics and reports; (m) selects cover image for regular journal issues; and (n) attends Editorial Board Meetings at the annual meetings of the Teratology Society and/or European Teratology Society.

(b) (6) will recuse himself as editor or reviewer of submissions that have: (a) disclosed extramural research funding from the EPA; (b) originate from the EPA's intramural research program; or (c) is co-authored by the National Center for Computational Toxicology.

and the amount of compensation to be expected; Publisher provides **(b) (6)** annually to run the journal office. Payment goes directly to the Editorial Assistant and is used entirely to cover the expenses of the journal office; \$0 compensation goes to the Editor. The Publisher also has an annual agreement with the European Teratology Society (ETS) to provide \$1,000 (in-kind) to the Society for the Editor's travel to its annual meeting. No honorarium or other direct compensation is accepted by the Editor.**

3) The name and business of the person or organization for which the work will be done: *Important Notice: The Emoluments Clause of the U.S. Constitution prohibits federal employees from accepting any gift, office, title or emolument, including salary or compensation from any foreign government except as authorized by Congress. Many foreign universities are arms of their government.* Elsevier, Inc., 360 Park Ave South, New York, NY 10010. The Publishing Editor at Elsevier is Meghan Jendrysik; the business officials at Elsevier are David Clark (senior VP) and Ann Gabriel (Publisher Director).

(in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);
Not applicable.

4) **The estimated time (hours/days) to be devoted to the activity;** (Please indicate **exact dates** if known.)

Routine editorial duties require 2 h daily, M-F. Generally, the Editor has handled most of this activity before 6 a.m. and on weekends.

5) **Whether the service will be performed entirely outside of normal duty hours** (yes or no) Yes (with caveat): circumstances arise that require immediate attention by the Editor. For example, he may be contacted via telephone or email by authors, reviewers, or the publisher to deal with matters that must be handled in real time in order to maintain publication schedule or resolve any conflict. Matters that require immediate attention during normal working hours amount to less than 1h per month. These are within the *de minimus* boundaries of NCCT policy.

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71);
Attendance at the ETS annual meeting in early September will use annual leave requested through the SF-71 mechanism.

6) **The basis for compensation** (e.g., fee, per hour, per diem, per annum, etc.) **and the total amount expected;** (b) (6) provided annually from the publisher to cover expenses affiliated with running the journal office; for example, compensation for a part-time editorial assistant (20 h per week) and incidental costs (mailings, office supplies, filing systems, and so forth). The Editor receives \$0 net compensation himself. This expense is paid to the editorial assistant in two (b) (6) installments in January and July.

7) **Identification of any assistance agreements or contracts held by the person to or for whom services will be provided.** (Must be answered, if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.) A copy of the current contract with Elsevier was submitted to US EPA for ethics review on April 1, 2007. It has been approved as an outside activity. Although the Elsevier contract is currently active July 2007 – 2009; however, there will be some modifications in disbursement of funds and logistics of the journal office:

a) The publisher will arrange to direct-deposit the semi-annual payments of (b) (6) to editorial assistant, who will manage monthly payroll deductions and taxes as well as maintain a small budget for office supplies relevant to running the journal.

b) The Birth Defects Center at the University of Louisville has verbally agreed to continue to provide virtual office space at no cost

(RTX@louisville.edu). The editorial assistant (C.S. Knudsen) will continue to work 20h per week at the journal office. She has been the editorial assistant since July 2003.

c) The Editor's affiliation published on the journal masthead, inside cover, and web-site is as follows:

(b) (6) PhD
Editor-In-Chief, Reproductive Toxicology

(b) (6)

Birth Defects Center, Room 301
University of Louisville
501 S. Preston Street
Louisville, KY 40202, USA
Fax: +1 919 541 1194

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1) **EMPLOYEE CERTIFICATION (Read and sign below)**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above for certain non-profit organization activities where I receive no compensation.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the U.S.

(b) (6)

Employee's signature

September 3, 2013

Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL



3 Sept '13

Date

DISAPPROVAL

Date

outside activity ncet 2013



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

FEB 22 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Senior Policy Advisor
Office of Environmental Justice
Office of Enforcement and Compliance Assurance

I have received your request to engage in outside activity without compensation to speak at a conference sponsored by the Vermont Law School. Your topic will focus on your Toxic Wastes and Race study and upon the historical roots of the field of environmental justice and your contributions to that field. Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. I have set forth below a reminder about several ethics principles:

- You will have to take annual leave to participate
- If you refer to EPA, it can be as one of several biographical details but EPA cannot have any undue prominence.
- You cannot use nonpublic information or the EPA seal or logo
- You will need to report the gift of travel, lodging and incidental expenses as a gift on your annual financial disclosure form filed next year (that reports on Cy 2017).
- You cannot use official duty time or Government property or resources in connection with this activity.

As always, if you have any questions, please feel free to contact me at 564-1786.

cc: Larry Starfield, Acting Assistant Administrator for Enforcement and Compliance Assurance
David Cozad, Acting Principal Deputy Administrator for Enforcement and Compliance Assurance
Erin Miles, Chief of Staff, OECA
Matt Tejada, Director, Office of Environmental Justice

Fugh, Justina

From: Starfield, Lawrence
Sent: Monday, February 13, 2017 4:54 PM
To: Fugh, Justina
Cc: Miles, Erin; (b) (6)
Subject: Vermont Law School Invitation - (b) (6)
Attachments: Solutions.invite.(b) (6)(1).pdf

Justina,

As both (b) (6) supervisor and Deputy Ethics Official, I approve his request to speak at Vermont Law School in his personal capacity at its annual *Solutions Conference* on March 24, 2017, in South Royalton, VT. He has provided the following information for my ethics determination:

- Name: (b) (6) Title: Senior Policy Advisor in the Office of Environmental Justice, Grade: SL-340-000
- I will be speaking about my role in the birth of the field of environmental justice at a conference on this subject convened by the Vermont Law School. My subject will focus on my seminal Toxic Wastes and Race study and the historical roots of the field of environmental justice during the early 1980s.
- No compensation will be provided. Travel, lodging and incidental expenses will be covered by Vermont Law School. This will be provided in the form of pre-paid travel and lodging and reimbursement of incidental expenses. I will report these amounts in my annual financial disclosure form.
- Service will be performed for Vermont Law School. The contact person is Marc Mihaly, President, Dean and Professor of Law.
- Estimated time to be devoted to activity is approximately 15 hours.
- Service provided will be performed entirely outside of normal duty hours. I will take annual leave to perform this activity.
- No official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this activity
- I have read and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities") and Section 6401.103 (EPA's Supplemental Regulations);
- I am not associated with any EPA assistance agreements or contacts with Vermont Law School
- I will refer to EPA only as one of several biographical details with EPA not having any undue prominence. EPA alone cannot be mentioned. I will not use nonpublic information in any slides, cannot use the EPA seal or logo, and cannot be introduced or have the speech promoted by my EPA affiliation.
- I understand that I have a "covered relationship" with Vermont Law School for one year. Therefore, I cannot work on any specific party matter with them unless I obtain an impartiality determination from an ethics official to do so.

Let me know if you have any questions.

Thanks.

Larry

Larry Starfield
Acting Assistant Administrator
EPA Office of Enforcement and Compliance Assurance



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 15 2015



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MEMORANDUM

SUBJECT: Approval of Outside Employment

FROM: Jack Housenger, Deputy Ethics Official
Office of Pesticide Programs

TO: (b) (6) Director
Field and External Affairs Division
Office of Pesticide Programs

A handwritten signature in blue ink, likely belonging to Jack Housenger, the Deputy Ethics Official.

This will confirm my approval of your request to maintain your real estate license in the Commonwealth of Virginia as outlined in your memorandum dated March 31, 2015. From the information you have provided, I do not expect your employment will involve conduct prohibited by 5 CFR Part 2635 and §6401.102.

This approval allows you to participate in the requested activity for the next 5 years. However, you are required to update your request if there is a change in the nature or scope of your activity or services performed. Also, if you transfer from the Office of Pesticide Programs to an organization that has a different Deputy Ethics Official, you must submit a new request for approval. (5 CFR §6401.103(d))

I wish you well in your endeavor. If you have any questions, please contact me or my ethics assistant, Debby Sisco.

cc: Justina Fugh, Senior Counsel for Ethics, OGC (2311A)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

COPY

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MEMORANDUM

DATE: March 31, 2015

SUBJECT: Request for Approval of Outside
Employment or Activity

FROM: (b) (6) Dir
Field and External Affairs

TO: Jack Housenger, Deputy Ethics Official
Office of Pesticide Programs (7501P)

(b) (6)

I am requesting approval to engage in outside activity or employment on a part-time basis in accordance with 5 C.F.R. § 6401.103.

The outside activity would be to maintain my real estate license in the Commonwealth of Virginia. Attached is a description of the activities as required by 5 C.F.R. § 6401.103. I believe no conflict of interest would be involved in performing these activities. In connection with this employment, I will not use EPA equipment, facilities, resources, or my time during official working hours. I also will not use information obtained as a result of my EPA position that is not freely available to the general public. In this activity, I will not represent parties before any Federal Agencies and I will refrain from taking any action implying official or unofficial EPA endorsement of any advice or opinions which I may give. I have read and will abide by the restrictions described in 5 C.F.R. Part 2635 and § 6401.102.

Attachment

cc: Debby Sisco (7501P)

Description of Proposed Outside Activity

Name: (b) (6)



Title: Director, Field and External Affairs Division

Grade: SES

Nature of Activity: Hold a real estate license as sales agent in the Commonwealth of Virginia with Exit Realty. I maintain my license but do not actively sale real estate. I mainly provide referrals to other agents.

- 1) Licensed Realtor in Virginia
- 2) No sales activities - Refer clients to other agents.

Name of Employer: Exit Realty; Fairfax, VA

Compensation Received: In 2014 compensation was (b) (6) for referrals. In previous 4 years, there were no earnings.

Time Involved: Approximately 20 hours a year, all of which will be performed outside of normal duty hours.

Grants or Contacts Involved: Exit Realty currently is not receiving any EPA grants and holds no contracts with EPA

Fugh, Justina

From: Fugh, Justina
Sent: Friday, May 01, 2015 4:22 PM
To: (b) (6)
Cc: Housenger, Jack; Sisco, Debby
Subject: reminder about your outside activity

Hi (b) (6)

I received a copy of the approval by your Deputy Ethics Official of your outside activity, which I will place in your file here in OGC. Please bear in mind that you will not be able to use any EPA resources, including time or property, to engage in this outside activity. Because it is compensated, you will not be able to rely on the *de minimis* or limited personal use exceptions for government equipment. You must not engage in any aspect of this outside activity in the federal workplace at any time, nor may you use EPA equipment (e.g., the iphone or the computer) to connect to your personal email accounts, etc. to further the outside activity.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

November 4, 2014

SUBJECT: Request for Approval of Outside Activities/Employment

FROM:

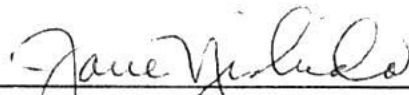
(b) (6)

Office of Management and International Services

TO: Jane Nishida, Principal Deputy Assistant Administrator

See the attached request for approval of outside activities/employment. It is my understanding that this request is required every three years or when there is a change. This abbreviated request is to get your continued approval on the 2011 attached request since there are no changes in my outside activities/employment. I will complete a new request in three years.

Approval Granted: _____


Jane Nishida, PDAA

Disapproved: _____

Jane Nishida, PDAA

Date: _____

11/6/14

March 11, 2011

SUBJECT: Request for Approval of Outside Activities/Employment

FROM:

(b) (6)

Office of Management and International Services

TO:

Michael M. Stahl, Deputy Assistant Administrator

Office of International and Tribal Affairs

See the attached request for approval of outside activities/employment. It is my understanding that this request is required every three years or when there is a change, as in this case of the Deputy Ethics Official. This abbreviated request is to get your continued approval on the attached 2009 request since there are no changes in my outside activities/employment. I will complete a new request in 2012.

Approval Granted: _____

Michael M. Stahl, Deputy Assistant Administrator

Disapproved: _____

Michael M. Stahl, Deputy Assistant Administrator

Date: _____

3/11/11

May 4, 2009

SUBJECT: (b) (6) Employment

FROM: (b) (6)
Office of Management and International Services

TO: Kathy Petruccelli
Deputy Assistant Administrator
Office of International Affairs

In compliance with 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations), I am requesting approval for outside employment. The following information is required and provided:

Real Estate Salesperson

- (b) (6) Director, Office of International and Management Services, ES-340
- Real Estate Salesperson—Compensation determine by commission schedule
- Coldwell Banker Residential Brokerage
- Estimated time devoted—Evenings and weekends
- Service will be devoted completely outside of EPA work hours
- There will be no official government property, resources or facilities used for this employment
- Compensation-commission (none expected, current license inactive status)
- I am familiar with 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations)
- No identification of any EPA assistance agreements

Hands2Heel Reflexology Services

- (b) (6) Director, Office of International and Management Services, ES-340
- Alternative Healing Modality
- Self employed private residence. Number of clients in next 6 months –none. Only working on emergency basis.
- Estimated time devoted— Evenings and weekends
- Service will be devoted completely outside of EPA work hours
- There will be no official government property, resources or facilities used for this employment
- Compensation-per client (none expected)
- I am familiar with 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations)
- No identification of any EPA assistance agreements

Approval Granted:

Kathy Petruccelli 5/7/09
Kathy Petruccelli, Deputy Assistant Administrator

Disapproved:

Kathy Petruccelli, Deputy Assistant Administrator

Date:

5/7/09

*This request meets the requirements of 5 CFR 2635.803
& 6401, & will remain valid for 5 years unless
the nature of the work changes or employee reports to
a new DED.*

November 4, 2014

SUBJECT: Request for Approval of Outside Activities/Employment

FROM:

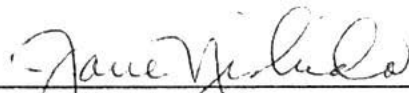
(b) (6)

Office of Management and International Services

TO: Jane Nishida, Principal Deputy Assistant Administrator

See the attached request for approval of outside activities/employment. It is my understanding that this request is required every three years or when there is a change. This abbreviated request is to get your continued approval on the 2011 attached request since there are no changes in my outside activities/employment. I will complete a new request in three years.

Approval Granted:


Jane Nishida, PDAA

Disapproved:

Jane Nishida, PDAA

Date:

11/6/14

March 11, 2011

SUBJECT: Request for Approval of Outside Activities/Employment

FROM:

(b) (6)

Office of Management and International Services

TO: Michael M. Stahl, Deputy Assistant Administrator

Office of International and Tribal Affairs

See the attached request for approval of outside activities/employment. It is my understanding that this request is required every three years or when there is a change, as in this case of the Deputy Ethics Official. This abbreviated request is to get your continued approval on the attached 2009 request since there are no changes in my outside activities/employment. I will complete a new request in 2012.

Approval Granted: _____

Michael M. Stahl, Deputy Assistant Administrator

Disapproved: _____

Michael M. Stahl, Deputy Assistant Administrator

Date: _____

3/11/11

May 4, 2009

SUBJECT: Request for Approval of Outside Employment

FROM:

(b) (6)

Office of Management and International Services

TO: Kathy Petruccelli
Deputy Assistant Administrator
Office of International Affairs

In compliance with 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations), I am requesting approval for outside employment. The following information is required and provided:

Real Estate Salesperson

- (b) (6) Director, Office of International and Management Services, ES-340
- Real Estate Salesperson—Compensation determine by commission schedule
- Coldwell Banker Residential Brokerage
- Estimated time devoted—Evenings and weekends
- Service will be devoted completely outside of EPA work hours
- There will be no official government property, resources or facilities used for this employment
- Compensation-commission (none expected, current license inactive status)
- I am familiar with 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations)
- No identification of any EPA assistance agreements

Hands2Heel Reflexology Services

- (b) (6) Director, Office of International and Management Services, ES-340
- Alternative Healing Modality
- Self employed private residence. Number of clients in next 6 months –none. Only working on emergency basis.
- Estimated time devoted— Evenings and weekends
- Service will be devoted completely outside of EPA work hours
- There will be no official government property, resources or facilities used for this employment
- Compensation-per client (none expected)
- I am familiar with 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations)
- No identification of any EPA assistance agreements

Approval Granted:

Kathy Petruccelli 5/7/09
Kathy Petruccelli, Deputy Assistant Administrator

Disapproved:

Kathy Petruccelli, Deputy Assistant Administrator

Date:

5/7/09

*This request meets the requirements of 5 CFR 2635.803
& 6401, & will remain valid for 5 years unless
the nature of the work changes or employee reports to
a new DED.*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL HEALTH AND ENVIRONMENTAL EFFECTS
RESEARCH LABORATORY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

MEMORANDUM

SUBJECT: Request for Approval to Engage in Outside Activity/Employment*

FROM:

(b) (6)

Deputy Director of Management

(b) (6)

TO:

Harold Zenick
Director, NHEERL (B305-01)

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

1. **Employee name, title, and grade:** (b) (6) Deputy Director of Management, NHEERL, SES-01.
2. **Nature of the outside activity, including a full description of the services to be performed:** — I have been nominated to be a member of the RTP Federal Credit Union Board of Directors, and Executive Compensation Committee of the RTP Federal Credit Union. The Board provides the President of the Credit Union with direction and advice and approves of policy matters as required by law. This position is uncompensated, however, a nominal lunch is provided for board members during their monthly and annual meetings.
3. **The name and business of the person or organization for which the work will be done:** RTP Federal Credit Union. (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months); N/A
4. **The estimated time (hours/days) to be devoted to the activity; (Please indicate exact dates if known.)** The Board holds monthly meetings of an hour in duration during lunch, and an annual meeting that is held on a Saturday.
5. **Whether the service will be performed entirely outside of normal duty hours (yes or no):** All services are performed outside of normal duty hours.

6. **The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.):** This position is uncompensated.
7. **Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered —if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)** NHEERL holds no extramural agreements with the RTP Federal Credit Union.

*Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1) **EMPLOYMENT CERTIFICATION**

- a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.
- b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;
- c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)
- d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.
- e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

(b) (6)

11/3/14
Date

2) Deputy Ethics Official Approval

Approved: H. Zenick
Harold Zenick

11/3/14
Date

Disapproved: _____
Harold Zenick

Date

[Type here]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Health and Environmental Effects Research Laboratory
OFFICE OF RESEARCH AND DEVELOPMENT

DATE: June 22, 2015

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: (b) (6) Ph.D. (b) (6) 6/22/15
Director, Toxicity Division, NHEERL

THROUGH: Ronald Hines, Ph.D. (MD-B305-02)
Associate Director for Health, NHEERL

TO: William H. Benson, Ph.D.
DEO for NHEERL

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

1) Employee's name, title and grade:

(b) (6) Director, Toxicity Assessment Division, NHEERL. Title 42

- 2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected**: Serve as Graduate Faculty Affiliate, Curriculum in Toxicology, University of North Carolina, Chapel Hill, NC. Services include leading a five-lecture section on reproductive toxicology and giving one of the lectures for a graduate toxicology course; serving on graduate students thesis committees and participating in curriculum planning meetings.
- 3) The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):

Curriculum in Toxicology
University of North Carolina
Chapel Hill, NC

- 4) The estimated time (hours/days) to be devoted to the activity (indicate exact dates if known):

Approximately 8 hours per year.

- 5) Whether the service will be performed entirely outside of normal duty hours (yes or no) (if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71):

No, up to 8 hours per year of normal duty hours will be used.

- 6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.):

No compensation will be received.

- 7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered-if not known by employee, please state so;) if agreements or contracts are known, indicate the employee's involvement, if any.):

EPA has a cooperative training agreement (CR-83515201) with the UNC Curriculum in toxicology that expires at the end of December 2015. The employee was not involved in the award or execution of this agreement and derives no benefit from it.

• Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

• Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

I) EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biographical details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and not because of my official position.

g) I certify that the invitation to engage in this activity or the offer of compensation was not extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

(b) (6)

6/22/15
Date

Assessment Division

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL William H. Bunn 7.01.15
Date

DISAPPROVAL _____
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Health and Environmental Effects Research Laboratory
OFFICE OF RESEARCH AND DEVELOPMENT

DATE: June 22, 2015

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: (b) (6) Ph.D. (b) (6) 6/22/15
Director, Toxicity Division, N HEERL

THROUGH: Ronald Hines, Ph.D. (MD-B305-02)
Associate Director for Health, NHEERL

TO: William H. Benson, Ph.D.
DEO for NHEERL

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

- 1) Employee's name, title and grade:

(b) (6) Director, Toxicity Assessment Division, NHEERL. Title 42

- 2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected**: Serve as Adjunct Professor in the College of Veterinary Medicine at North Carolina State University, Raleigh, NC. Services may include giving occasional lectures in toxicology, serving on graduate students thesis committees and participating in curriculum planning meetings
- 3) The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):

College of Veterinary Medicine
North Carolina State University
Raleigh, NC

- 4) The estimated time (hours/days) to be devoted to the activity (indicate exact dates if known):

Approximately 4 hours per year.

- 5) Whether the service will be performed entirely outside of normal duty hours (yes or no) (if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71):

No, up to 4 hours per year of normal duty hours will be used.

- 6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.):

No compensation will be received.

- 7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered-if not known by employee, please state so;)f agreements or contracts are known, indicate the employee's involvement, if any.):

None that I am aware of.

• Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

••Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1) EMPLOYEE CERTIFICATION

- a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and not because of my official position.

g) I certify that the invitation to engage in this activity or the offer of compensation was not

extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

(b) (6)

6/22/15
Date

Assessment Division

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL William H. Brown 5.01.15
Date

DISAPPROVAL _____
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Health and Environmental Effects Research Laboratory
OFFICE OF RESEARCH AND DEVELOPMENT

DATE: June 22, 2015

SUBJECT: Request for Approval to Engage in Outside Employment* or Other Outside Activity

FROM: (b) (6) Ph.D. (b) (6) 6/22/15
Director, Toxicity Division, NHEERL

THROUGH: Ronald Hines, Ph.D. (MD-B305-02)
Associate Director for Health, NHEERL

TO: William H. Benson, Ph.D.
DEO for NHEERL

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

- 1) Employee's name, title and grade:

(b) (6) Director, Toxicity Assessment Division, NHEERL. Title 42

- 2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected**:

Serve once per year as Chair of the Environmental Exposures, Toxicology, & Pathology Study Section for the California Tobacco-Related Disease Research Program (TRDRP). I will chair a review session for grant applications from researchers in the State of California for funding through TRDRP. The TRDRP is administered through the Office of the President, University of California (UCOP). Either I will chair the meeting from UCOP in Oakland, CA and the review panelists will participate via videoconference, or we will have a face-to-face meeting in the San Francisco area. Airfare, local transportation, two nights lodging and per diem will be covered by UCOP. An honorarium of (b) (6) per meeting is included.

- 3) The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):

**University of California Office of the
President 300 Lakeside Drive
Oakland, CA 94612**

- 4) The estimated time (hours/days) to be devoted to the activity (indicate exact dates if known):

Two full days annually for the meeting plus travel.

- 5) Whether the service will be performed entirely outside of normal duty hours (yes or no) (if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71):

Duties will be performed entirely while on annual leave.

- 6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.):

Travel, lodging, meals and honorarium.

- 7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered-if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.):

None.

• Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

• Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

I) EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and not because of my official position.

g) I certify that the invitation to engage in this activity or the offer of compensation was not extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

(b) (6)

6/22/15
Date

Assessment Division

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL William A. Quinn 7.01.15
Date

DISAPPROVAL _____
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL CENTER FOR ENVIRONMENTAL ASSESSMENT
WASHINGTON, DC 20460

OFFICE OF
RESEARCH AND DEVELOPMENT

MEMORANDUM

DATE: August 31, 2017

SUBJECT: Request for Approval to Engage in Outside Activity

FROM: (b) (6) Director
Integrated Risk Information System Division

(b) (6)

TO: Mary Ross, Director
National Center for Environmental Assessment
Deputy Ethics Official

As required by C.F.R. Title 5, Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved for a period of five years based upon the specific information given below. The *Supplemental Standards of Ethical Conduct for Employees of the Environmental Protection Agency* requires that the employee's request for approval of outside employment shall be submitted in writing to his or her Deputy Ethics Official." This memorandum serves that purpose.

I am formally requesting permission to accept an opportunity to serve as a member of the Board of Trustees for the Evidence-based Toxicology Collaboration (EBTC) at the Center for Alternatives to Animal Testing at the Johns Hopkins Bloomberg School of Public Health in Baltimore, Maryland. There is no salary assigned to this activity. This activity will include collaboration between the science, government, NGO and industry communities to establish universal evidence-based methodologies and systematic review principles in toxicology. This activity will require a maximum of two 1-day face-to-face meetings per year at Johns Hopkins facilities and 3-4 project status reports per year. Serving as a EBTC Trustee Board member will not impact the duties performed in my official position as Director (Title 42) of the Integrated Risk Information System Division at USEPA's National Center for Environmental Assessment. The work will be performed entirely outside my normal duty hours. I am not aware of any agreements or contracts between EBTC and USEPA and I will not be involved in any such agreement or contract.

I will use no official duty time or federal government property, resources, or facilities not available to the general public in this endeavor. I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102.

cc: Justina Fugh, OGC



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL CENTER FOR ENVIRONMENTAL ASSESSMENT
WASHINGTON, DC 20460

OFFICE OF
RESEARCH AND DEVELOPMENT

MEMORANDUM

DATE: August 31, 2017

SUBJECT: Approval of Outside Activity

FROM: Mary Ross *Mary Ross*
Director, National Center for Environmental Assessment
Deputy Ethics Official

TO: (b) (6)
Director, Integrated Risk Information System Division

I have received your request to engage in outside activity without compensation as member of the Board of Trustees for the Evidence-based Toxicology Collaboration (EBTC) at the Center for Alternatives to Animal Testing at the Johns Hopkins Bloomberg School of Public Health in Baltimore, Maryland. I am approving your request as consistent with C.F.R. Title 5, Part 2635, Subpart II. Please note that, generally, an approval for outside activity remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties including taking on any additional or other duties or receiving compensation.

You will need to report this outside activity on your annual financial disclosure form (Form OGE-450).

In your capacity as Trustee Board member, you are generally prohibited by criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. (See 18 U.S.C. § 203 and 205.) You are also prohibited from contacting the federal government on behalf of EBTC, which may include contacting federal employees to speak before the board.

cc: Justina Fugh, OGC



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL CENTER FOR ENVIRONMENTAL ASSESSMENT
WASHINGTON, DC 20460

OFFICE OF
RESEARCH AND DEVELOPMENT

MEMORANDUM

DATE: August 31, 2017

SUBJECT: Request for Approval to Engage in Outside Activity

FROM: (b) (6) Director
Integrated Risk Information System Division

TO: Mary Ross, Director
National Center for Environmental Assessment
Deputy Ethics Official

As required by C.F.R. Title 5, Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved for a period of five years based upon the specific information given below. The *Supplemental Standards of Ethical Conduct for Employees of the Environmental Protection Agency* requires that the employee's request for approval of outside employment shall be submitted in writing to his or her Deputy Ethics Official. " This memorandum serves that purpose.

I am formally requesting permission to accept an opportunity to serve as a member of the Board of Trustees for the Evidence-based Toxicology Collaboration (EBTC) at the Center for Alternatives to Animal Testing at the Johns Hopkins Bloomberg School of Public Health in Baltimore, Maryland. There is no salary assigned to this activity. This activity will include collaboration between the science, government, NGO and industry communities to establish universal evidence-based methodologies and systematic review principles in toxicology. This activity will require a maximum of two 1-day face-to-face meetings per year at Johns Hopkins facilities and 3-4 project status reports per year. Serving as a EBTC Trustee Board member will not impact the duties performed in my official position as Director (Title 42) of the Integrated Risk Information System Division at USEPA's National Center for Environmental Assessment. The work will be performed entirely outside my normal duty hours. I am not aware of any agreements or contracts between EBTC and USEPA and I will not be involved in any such agreement or contract.

I will use no official duty time or federal government property, resources, or facilities not available to the general public in this endeavor. I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102.

cc: Justina Fugh, OGC



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Computational Toxicology
Research Triangle Park, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

August 21, 2014

MEMORANDUM

SUBJECT: Request for Approval for an Outside Activity

FROM: (b) (6)
Director

(b) (6)

TO: Lek Kadeli
Acting Assistant Administrator, ORD

Dear Mr. Kadeli,

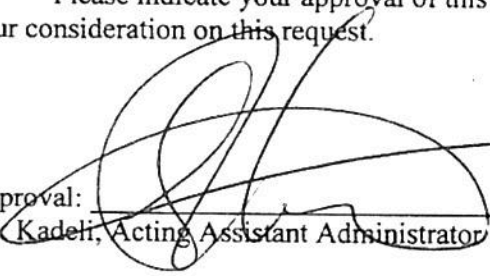
I am submitting a request for approval for an outside activity that entails serving as adjunct associate professor at the University of North Carolina (UNC). The time devoted to this position is intermittent and does not conflict with nor require time away from my official duties. Examples of the activities this position would include are as follows: give periodic course lectures, serve on post-doctoral panels, provide mentorship for students, and etc.

The following information, as required by the Office of General Counsel, is provided for your consideration:

- Name of requestor: (b) (6)
- Description of outside activity: Adjunct Associate Professor
- Name of organization for whom the outside activity will be performed: University of North Carolina
- Timeframe of outside activity: Indefinite
- All activities will be conducted outside of official duty hours.
- No official duty time or Government property, resources, or facilities available to the general public will be used in connection with the outside activity.
- I will not be compensated for the outside activity. No additional fees, per diem or payments are anticipated.
- I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations).
- While I am aware of UNC/EPA programs, assistance agreements, and contracts held by the EPA with the University of North Carolina I am not directly involved in any decision making on these vehicles, nor does the National Center for Computational Toxicology directly benefit from these

programs. In the event any of these circumstances changes, we will reassess this outside activity.

Please indicate your approval of this request by signing below. Thank you for your consideration on this request.

Approval: 
Lek Kadel, Acting Assistant Administrator

SEP - 2 - 2014

Date: _____



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: February 5, 2018

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: (b) (6) (b) (6)
NCEA-RTP B243-01

TO: Mary Ross
Deputy Director, NCEA

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Completely answer each item—do not answer "N/A"]

- 1) Employee's name, title and grade;
(b) (6) Director, NCEA-RTP Division, Title 42
- 2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected;**

A family-based small business, Eugene Audio Video LLC, is being organized that will provide audio engineering services to the public. This will include enhancement of personal or business recordings, live recording and post-production analysis. My role will be as business manager, my (b) (6) is the audio engineer, (b) (6) is a business partner, and (b) (6) is the web designer and manager. I receive no compensation.

- 3) The name and business of the person or organization for which the work will

be done:

Eugene Audio Video, LLC

(in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);

My role is to maintain budget and track clients. Expected number of clients in next six months is 20.

4) The estimated time (hours/days) to be devoted to the activity; (Please indicate **exact dates** if known.)

4 to 6 hours a week.

5) Whether the service will be performed entirely outside of normal duty hours (yes or no)

Yes, work occurs entirely outside normal duty hours in evenings or weekends

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71);

6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.);_ actual expenses for meeting-related travel, no honorarium or other compensation

I receive no compensation

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered—if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

None _____

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an

agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1)

EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

(b) (6)

Date 2/5/18

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL Mary Ross

Date 2/8/18

DISAPPROVAL _____

Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: January 21, 2016

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: (b) (6)
NCEA-RTP B243-C (b) (6)

TO: Mary Ross
Deputy Director, NCEA

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Completely answer each item—do not answer "N/A"]

1) Employee's name, title and grade;

(b) (6) Director, NCEA-RTP Division, Title 42

2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected;**

Adjunct Professor at the Nicholas School of the Environment, Duke University. Responsibilities including student mentoring and annual teaching of a ½ semester-long graduate level course module titled "ENV 605: Air Quality Management" in the 2016-2018 academic years. No compensation is provided for position as adjunct professor nor for student mentoring. Compensation is provided annually for teaching the course module in the amount of approximately (b) (6)

3) The name and business of the person or organization for which the work will be done:

Nicholas School of the Environment, Duke University, Durham North Carolina.

(in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);

Services rendered include mentoring of approximately 1 student per year, and teaching of a ½ semester course module titled "ENV 235: Air Quality Management" with estimated enrollment of approximately 30 graduate students per year in the spring semester for the 2016-2018 academic years.

4) The estimated time (hours/days) to be devoted to the activity; (Please indicate **exact dates** if known.)_____

For student mentoring approximately 12 hours per year; exact dates spread throughout the academic year. In 2016 I am not mentoring a student. For teaching, approximately 40 hours per year (none during work duty hours); the Air Quality Management course is taught Tuesday nights from early March until late April, each year from 2016-2018 academic years.

5) Whether the service will be performed entirely outside of normal duty hours (yes or no)

For student mentoring, most discussions occur outside normal duty hours but sometimes meetings are scheduled during normal duty hours, amounting to not more than approximately 4 hours per year during normal duty hours. De minimus use of EPA email system to remotely check for emails received to the Duke email system may occur during work hours, amounting to not more than approximately 4 hours during normal duty hours per year (mostly during lunch breaks or after work hours during the spring semester).

For teaching, service is performed entirely outside of normal duty hours, or annual leave is requested if time is needed (e.g., for field trips) during normal duty hours; the amount of annual leave requested, if any, is anticipated to be less than 9 hours per year on dates to be determined and SF-71 forms will be provided at such times.

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71);

6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.);_ actual expenses for meeting-related travel, no honorarium or other compensation

Compensation is based on per-course module agreement, currently estimated at (b) (6)

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered—if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

None known _____

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1) **EMPLOYEE CERTIFICATION**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw

substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

(b) (6)

Employee's signature

Date

1/21/16

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL



Date

1/21/16

DISAPPROVAL

Date



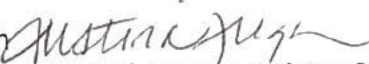
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

APR - 3 2019

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Compensated Outside Activity

FROM: Justina Fugh 
Alternate Designated Agency Ethics Official

TO: (b) (6)
Senior Policy Advisor and Liaison to the Committees on Appropriations
Office of the Chief Financial Officer

On September 12, 2018, I approved your request to engage in uncompensated outside activity as an affiliate adjunct professor at Georgetown University in their environmental metrology and policy program to teach one course entitled "Introduction to US/International Environmental Law and Regulations." For the upcoming Fall 2019 semester, though, you have learned that you will be teaching the class solo and that you will be compensated in the amount of (b) (6). For the purposes of EPA's supplemental ethics regulations, I am considering your request again given the change in compensation.

Based on the updated information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, either at the university or at EPA. I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by Georgetown, you will be considered to be their employee. As such, you are not permitted as part of your EPA duties to participate in any matter that will have a direct and predictable financial effect upon Georgetown University. You cannot work on particular matters that involve Georgetown University as a specific party (e.g., whether the Chief Financial Officer or

should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if Georgetown University is an expected applicant).

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. This rule applies to you even though you are uncompensated. See 18 U.S.C. § 205. In your capacity as an affiliate adjunct professor, you cannot contact the U.S. government or any official on behalf of Georgetown University, which includes contacting federal employees to speak before your class.

Financial Disclosure Report

Please remember that you will have to report the outside position on your financial disclosure report as well as the compensation amount. This information should appear on the report that is due May 15, 2020 that reports on CY 2019.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
GENERAL COUNSEL

SEP 12 2018

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Senior Policy Advisor and Liaison to the Committees on Appropriations
Office of the Chief Financial Officer

I have received your request to continue to engage in outside activity as an affiliate adjunct professor at Georgetown University in their environmental metrology and policy program. You indicate that this position will be unpaid, and you will be co-teaching one course entitled "Introduction to US/International Environmental Law and Regulations." For the purposes of this approval, I am assuming that you will not receive any other benefits from Georgetown, such as parking.

Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, either at the university or at EPA. I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Although you will not be compensated by Georgetown, I am unsure whether you will be considered their employee or not. You will at least have a close relationship with Georgetown such that I advise that you not participate as part of your EPA duties in any matter that will have a direct and predictable financial effect upon Georgetown University. You cannot work on particular matters that involve Georgetown University as a specific party (e.g., whether the Chief Financial Officer should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if Georgetown University is an expected applicant).

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. This rule applies to you even though you are uncompensated. See 18 U.S.C. § 205. In your capacity as an affiliate adjunct professor, you cannot contact the U.S. government or any official on behalf of Georgetown University, which includes contacting federal employees to speak before your class.

Financial Disclosure Report

While you may not be compensated, please remember that you will have to report the outside position on your financial disclosure report.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.

Fugh, Justina

From: Fugh, Justina
Sent: Wednesday, March 25, 2015 3:37 PM
To: (b) (6)
Cc: Kadeli, Lek
Subject: approval of outside activity, with caveats

Hi (b) (6)

This note confirms that you are approved to engage in outside activity to present a speech in your personal capacity in Singapore in April 2015. You understand that you cannot use the EPA seal on any of your materials and cannot refer to your EPA position/title except as one of several biographical details. If you mention EPA at all, you must also make clear that you are not speaking on behalf of EPA. Moreover, you cannot use government time, equipment or resources to work on this outside activity. Although you are not being compensated, you still should not consider using any *de minimis* use of government equipment anyway.

Please note that you are expressly prohibited under the Emoluments Clause of the US Constitution from accepting any honorarium or any other gift of any kind from either of these two universities, both of which we consider to be parts of a foreign government. You are not permitted to accept any travel reimbursement, any honorary title, any gift or memento from these entities. Doing so will violate the Emoluments Clause and therefore be unconstitutional.

I will put a copy of this approval in your file.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

I am writing to request your approval to speak at InterMETAsia 2015 Conference and Exhibition, Singapore this coming April. It will be great if you would let me know your decision at your first convenience so I can get back with the Conference Director.

Best, (b) (6)

OGC required information is shown in RED below:

- name, title and grade; (b) (6) Director (Acting) for Office of Administrative and Research Support, Office of Research and Development.
- the nature of the outside activity, I will speak about prescription agricultural decision support tools to cope with extreme weather conditions (drought/flood) and ex-ante risk management decision support tools (agriculture insurance, etc.)
- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months); InterMETAsia 2015 Conference and Exhibition.

- the estimated time to be devoted to the activity; 5 days.
- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required); The work will be performed entirely outside of normal duty hours.
- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment; No official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside activity.
- the basis for compensation (e.g., fee, per diem, per annum, etc.) None.
- a statement that employee has read, is familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations); I am familiar with and will abide by the restrictions described in 5 CFR Part 2635 and Section 6401102.
- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided. This activity does not require an EPA assistance agreement or contracts.

Additional Background: The Conference Director, Mr. Ian Harper (InterMET) invited me to speak on the impact of extreme weather on agriculture and risk management. The conference is sponsored by United Nations organization (World Meteorological Organization), and World Bank.

Fugh, Justina

From: Fugh, Justina
Sent: Tuesday, September 30, 2014 1:06 PM
To: (b) (6)
Cc: Trovato, Ramona
Subject: approval of outside activity, with caveats

Hi (b) (6)

This note confirms that you are approved to engage in outside activity to present a speech in your personal capacity in Taiwan during the period of October 15-17, 2014. You understand that you cannot use the EPA seal on any of your materials and cannot refer to your EPA position/title except as one of several biographical details. If you mention EPA at all, you must also make clear that you are not speaking on behalf of EPA. Moreover, you cannot use government time, equipment or resources to work on this outside activity. Although you are not being compensated, you still should not consider using any *de minimis* use of government equipment anyway.

Please note that you are expressly prohibited under the Emoluments Clause of the US Constitution from accepting any honorarium or any other gift of any kind from either of these two universities, both of which we consider to be parts of a foreign government. You are not permitted to accept any travel reimbursement, any honorary title, any gift or memento from these entities. Doing so will violate the Emoluments Clause and therefore be unconstitutional.

I will put a copy of this approval in your file.
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Trovato, Ramona
Sent: Thursday, September 25, 2014 9:33 AM
To: Fugh, Justina; Radzikowski, Mary Ellen
Cc: (b) (6) Kadeli, Lek
Subject: Re: Giving lecture outside of work activity

Hi Justina,
Thanks so much for your help in keeping us on the straight and narrow.

I'm (b) (6) first line supervisor and I concur.

Thanks again,
Ramona

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: (b) (6)
Sent: Wednesday, September 24, 2014 8:12 PM
To: Radzikowski, Mary Ellen
Cc: Kadeli, Lek; Trovato, Ramona
Subject: RE: Giving lecture outside of work activity

Dear Mary Ellen,

My revised the request, based on Justina's email, for your approval.

1. Name, title and grade: (b) (6) Deputy Director for Management (Acting Director) for Office of Administrative and Research Support, Office of Research and Development, ES-0340.
2. The nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected: The outside activity is to give a 2-hour guest lecture in a university setting on (1) weather early warning and impact forecasts and El Nino/La Nina prediction and its applications on prescription agriculture, (2) Hyogo Framework on Disaster Risk Reduction, and (3) World Bank Global Framework for Disaster Risk Reduction program. There will be no compensation.
3. The name and business of the person or organization for which the work will be done: National Taiwan Ocean University and National Cheng Kung University.
4. The estimated time to be devoted to the activity: 2 days.
5. The service will be performed entirely outside of normal duty hours.
6. No official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment.
7. The basis for compensation (e.g., fee, per diem, per annum, etc.): No compensation.
8. I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities) and Section 6401.103 (EPA's Supplemental Regulations)
9. No EPA assistance agreements or contracts held by a person to or for whom services would be provided.
10. I will speak as a private citizen and not on behalf of EPA.

Thank you.

Best, (b) (6)

From: Fugh, Justina
Sent: Wednesday, September 24, 2014 1:13 PM
To: Trovato, Ramona; Kadeli, Lek
Cc: Kadeli, Lek; (b) (6) Radzikowski, Mary Ellen
Subject: RE: Giving lecture outside of work activity

Ramona and Lek,

The terms of this request for approval of outside activity don't meet the bounds of what's required. It's close, but not quite all there. Here's what's necessary:

- name, title and grade;
- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;

- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);
- the estimated time to be devoted to the activity;
- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);
- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;
- the basis for compensation (e.g., fee, per diem, per annum, etc.)
- a statement that employee has read, is familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities") and Section 6401.102 (EPA's Supplemental Regulations); and
- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided.

(b) (6) needs to know that she is prohibited under the Emoluments Clause of the US Constitution from accepting any honorarium or any other gift of any kind from the universities, both of which we consider to be parts of a foreign government. She is not permitted to accept any travel reimbursement, title, tshirt or other memento from these entities. She should be advised that she cannot use the EPA seal on any of her materials and cannot refer to her EPA position/title except as one of several biographical details. If she mentions EPA at all, she must also make clear that she is not speaking on behalf of EPA. Once the request is perfected, whoever is the DEO for ORD may approve or you can send it over to me for final approval. If you approve, send me a copy of the final approval for her files.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: (b) (6)
 Sent: Wednesday, September 24, 2014 1:00 PM
 To: Radzikowski, Mary Ellen
 Cc: Trovato, Ramona; Kadeli, Lek; Fugh, Justina
 Subject: Giving lecture outside of work activity

Dear Mary Ellen,

I have been asked to give a lecture at the National Taiwan Ocean University and National Cheng Kung University while I visit my parents in Taiwan on annual leave. The subject is on international development on risk preparedness and the work I did with the World Bank. The school dean has requested me to submit a title by October 1.

The contents would cover: (1) weather early warning and impact forecasts and El Nino/La Nina prediction and its applications on prescription agriculture, (2) Hyogo Framework on Disaster Risk Reduction, and (3) World Bank Global Framework for Disaster Risk Reduction program.

I will give the lecture as a private citizen. I will only use personal properties and off work hours to prepare the documents. I may be compensated for the lecture (less than (b) (6)) But if this is an issue, I will decline it.

Please kindly let me know if there is any issue for me to give the lecture. Thank you.

Best, (b) (6)

Acting Director
Office of Administrative and Research Support
Office of Research and Development
United States Environmental Protection Agency

(b) (6)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL EXPOSURE RESEARCH LABORATORY
SYSTEMS EXPOSURE DIVISION
Research Triangle Park, NC 27711

Office of
Research and Development

MEMORANDUM

DATE: July 20, 2017

SUBJECT: Request for Approval to Engage in Outside Activities

FROM: (b) (6) Senior Scientist (b) (6)

THRU: Jay Garland
Director

TO: Justina Fugh
Senior Counsel for Ethics

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Completely answer each item—do not answer "N/A"]

- 1) Employee's name: (b) (6) Senior Scientist
- 2) Nature of the outside activity, including a full description of the services to be performed: I will advise and instruct a class to Master's degree level student(s) at the National Taiwan Ocean University (NTOU) in the following areas: Institutional governance of ocean science, regulation and policy in US and other countries, Nexus of ocean science and policy, Nexus of ocean and environmental policies. The class can be conducted via on-line.

teleconferences, or in-person classroom sessions. No compensation will be received for this activity.

3) The name of organization for which the work will be done: National Taiwan Ocean University.

4) The estimated time (hours/days) to be devoted to the activity: An estimated of 120 hours of Annual Leave, after work hours, and weekends per year will be devoted to the activity during the university semesters in Taiwan.

5) Whether the service will be performed entirely outside of normal duty hours: Yes.

6) The basis for compensation: No compensation will be received for this activity.

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided: I am not aware of any EPA assistance agreements or contracts with National Taiwan Ocean University.

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonable disclaimer that the views expressed do not necessarily represent the views of the agency.

(b) (6)

01/20/2017
Date

DEPT

APPROVAL

5/16/17
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Computational Toxicology
Research Triangle Park, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

July 1st 2015

MEMORANDUM

SUBJECT: Request for Approval for an Outside Activity

FROM:

(b) (6)

Computational Chemist

(b) (6)

TO:

Russell Thomas
Director, NCCT

Dear Dr Thomas,

I am submitting a request for approval for an outside activity that entails serving as adjunct professor at the University of North Carolina (UNC). The time devoted to this position is intermittent and does not conflict with nor require time away from my official duties. Examples of the activities this position would include are as follows: give periodic course lectures, serve on post-doctoral panels, provide mentorship for students, and etc.

The following information, as required by the Office of General Counsel, is provided for your consideration:

- Name of requestor: (b) (6)
- Description of outside activity: Adjunct Professor
- Name of organization for whom the outside activity will be performed: University of North Carolina, Chapel Hill
- Timeframe of outside activity: Indefinite
- All activities will be conducted outside of official duty hours.
- No official duty time or Government property, resources, or facilities available to the general public will be used in connection with the outside activity.
- I will not be compensated for the outside activity. No additional fees, per diem or payments are anticipated.
- I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations).
- While I am aware of UNC/EPA programs, assistance agreements, and contracts held by the EPA with the University of North Carolina I am not directly involved in any decision making on these vehicles, nor does the National Center for Computational Toxicology directly benefit from these

programs. In the event any of these circumstances changes, we will reassess this outside activity.

Please indicate your approval of this request by signing below. Thank you for your consideration on this request.

Approval: Russell Thomas Date: 7/6/15
Dr. Russell Thomas, Director, NCCT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Computational Toxicology
Research Triangle Park, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE:

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM:

(b) (6)

Computational Chemist

(b) (6)

TO:

Russell Thomas
Director and Deputy Ethics Official

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Answer each item completely. Do not answer 'N/A']

1) Employee's name:

(b) (6)

Title and grade: Computational Chemist Title 42

2) Nature of the outside activity, including a full description of the services to be performed and the duration of the activity: Editorial board member of the scientific journal, Journal of Cheminformatics (<http://www.jcheminf.com/about/edboard>). This will require occasional review of manuscripts, attend editorial meetings held in coincidence with conferences and provide feedback on editorial policy at the

request of the Editors-in-Chief.

and the amount of compensation to be expected;** None will be accepted.

3) The name and business of the person or organization for which the work will be done: *Important Notice: The Emoluments Clause of the U.S. Constitution prohibits federal employees from accepting any gift, office, title or emolument, including salary or compensation from any foreign government except as authorized by Congress. Many foreign universities are arms of their government.*

David Wild (Indiana University, United States of America) and
Christoph Steinbeck (European Bioinformatics Institute, United Kingdom), Editors in Chief

4) The estimated time (hours/days) to be devoted to the activity;

(Please indicate exact dates if known.) *How long is the commitment?*

And estimate how much time/month you expect this to involve.

Ongoing. The estimated time will depend on the number of articles per year to review and based on experiences to date about 8 hours per year.

5) Whether the service will be performed entirely outside of normal duty hours (yes or no)_Yes

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71); _____

6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.) and the total amount expected;

No compensation is made

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered, if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

None required

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless

activities are for compensation other than reimbursement for expenses.

****Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.**

1) **EMPLOYEE CERTIFICATION (Read and sign below)**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401:

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above for certain non-profit organization activities where I receive no compensation.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the U.S.

(b) (6)

July 1st 2015
Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL Russell L. Coon

7/6/15
Date

DISAPPROVAL _____

Date

outside activity next 2015



United States Environmental Protection Agency
National Center for Computational Toxicology
Research Triangle Park, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

MEMORANDUM

Date: June 30th 2015

Subject: Request for Approval to Engage in Outside Employment or Other Outside Activity

From: (b) (6) Ph.D.
National Center for Computational Toxicology

(b) (6)

To: Russell Thomas, Ph.D.
Director
National Center for Computational Toxicology
DEO

As required by Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and in approved only as specified in the information given below.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by a statute or Federal regulation, including 5 CFR part 2635 and SS 6401.102.

1) Name, title and grade: (b) (6) PhD
Computational Chemist, T42

2) Reason: I wish to complete my assignment that was initiated over three years ago to both co-edit a two volume book series as well as author/co-author a number of book chapters in the series. The book series is focused on Modern NMR Approaches to the Structure Elucidation of Natural products
Vol 1: <http://www.amazon.com/Approaches-Structure-Elucidation-Natural-Products/dp/1849735182/>
Vol 2: <http://www.amazon.com/Applications-Approaches-Structure-Elucidation-Products/dp/1849733937/>.
I have already spent the three years of investment to this point and at present am completing the project. Proofing of Volume 1 will be started on July 20th and chapter contributions to Volume 2 will be completed by October 2015 with the volume in press in February 2016 in theory.

No Agency time, equipment, or resources will be used at any time during any aspect of this effort. All communications between the book publishers and me will occur during non-duty hours. Review of the literature and any other preparation for this presentation will take place during non-duty hours. No unpublished data from our center or other EPA laboratories will be presented. There is no apparent or

clear evidence that this activity will be a real or perceived conflict of interest. Any communications regarding this role between RSC or the editors and myself will occur during non-duty hours.

If at any time I encounter evidence or any other situation that this activity will in any way compromise, or appear to compromise, any Agency activities, I will immediately cease and desist any consulting with the conference organizers (or any other party) and immediately notify my DEO.

3) Sponsored by whom, company and person:

Antonia Pass,
Editorial Assistant,
Royal Society of Chemistry,
Thomas Graham House,
Science Park, Milton Road,
Cambridge, CB4 0WF, United Kingdom
Email: Passa@rsc.org
Phone: +44 (0)1223 432506

4) Compensation: Each of the three co-editors of these books will receive compensation based on book sales. These royalties will be shared between the editors. This compensation will be approximately 3.33% of net sales for each editor. Estimated total compensation, based on previous publications of similar books, will be less than (b) (6)

5) Assistance agreements of contracts involved? None

1) EMPLOYEE CERTIFICATION

- a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy ethics Official to make and informed decision on this matter.
- b) I certify that I have read, and am familiar with, and will abide by the restrictions described in 5 CAR part 2635 and SS 6401.102;
- c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity.
- d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.
- e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biographical details.

For teaching, speaking or writing, also include the following certifications:

- f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and not because of my official position.
- g) I certify that the invitation to engage in this activity or the offer to compensate was not extended to me directly, or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my official duties.
- h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

I) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the

(b) (6)

Employee S

July 1st 2015
Date

2) AGENCY ETHICS OFFICIAL APPROVAL

Approval Russell Thomas
Russell Thomas, PhD
Director, NCCT

7/6/15
Date

Disapproval _____
Russell Thomas, PhD
Director, NCCT

Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Computational Toxicology
Research Triangle Park, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

July 1st 2015

MEMORANDUM

SUBJECT: Request for Approval for an Outside Activity

FROM: (b) (6)
Computational Chemist

(b) (6)

TO: Russell Thomas
Director, NCCT

Dear Dr Thomas,

I am submitting a request for approval for an outside activity that entails serving as adjunct professor at North Carolina State University (NCSU). The time devoted to this position is intermittent and does not conflict with nor require time away from my official duties. Examples of the activities this position would include are as follows: give periodic course lectures, serve on post-doctoral panels, provide mentorship for students, and etc.

The following information, as required by the Office of General Counsel, is provided for your consideration:

- Name of requestor: (b) (6)
- Description of outside activity: Adjunct Professor
- Name of organization for whom the outside activity will be performed: North Carolina State University, Raleigh
- Timeframe of outside activity: Indefinite
- All activities will be conducted outside of official duty hours.
- No official duty time or Government property, resources, or facilities available to the general public will be used in connection with the outside activity.
- I will not be compensated for the outside activity. No additional fees, per diem or payments are anticipated.
- I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations).
- While I am aware of NCSU/EPA programs, assistance agreements, and contracts held by the EPA with the North Carolina State University I am not directly involved in any decision making on these vehicles, nor does the National Center for Computational Toxicology directly benefit from

these programs. In the event any of these circumstances changes, we will reassess this outside activity.

Please indicate your approval of this request by signing below. Thank you for your consideration on this request.

Approval: Russell Thomas Date: 7/6/15
Dr. Russell Thomas, Director, NCCT




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

JAN - 5 2018

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh 
Alternate Designated Agency Ethics Official

TO: (b) (6) Director
Air Quality Policy Division
Office of Air Quality Planning & Standards
Office of Air and Radiation

I have received your request to engage in outside activity for possible compensation as a business coach. You plan to incorporate a business and provide coaching services entirely outside of EPA. Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon any of your clients. You cannot work on particular matters that involve any client as a specific party nor can you work on particular matters of general applicability (e.g., a grant proposal to which a client may apply).

You will need to report any gross income from this outside activity on the assets portion of your financial disclosure statement, and the outside position in the "positions held outside of government" section.

Representation

Don't forget, you are generally prohibited by a criminal law from representing

another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205.

Misuse of Position

As you acknowledge, you cannot solicit for possible clients using your EPA title or affiliation, and cannot work with any of your subordinates in your outside capacity.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.

Fugh, Justina

From: (b) (6)
Sent: Wednesday, January 03, 2018 5:49 PM
To: Fugh, Justina
Cc: Tsirigotis, Peter
Subject: Re: Request for Ethics Approval to Engage in Outside Activity

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Justina,

I am writing this memorandum to seek approval to engage in outside activity. Per the direction you provided on November 21, 2017, I submit the following information. Please advise if there is any additional information needed to process this request. Thank you, Anna

- **Name, title and grade:** (b) (6) Director, Air Quality Policy Division, SES
- **The nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected.**

I am currently enrolled in a 10month course at North Carolina State University to be trained and certified as a business coach (NC State Program). Once I complete the program in August 2018, I will be eligible for certification by the International Coach Federation (ICF). As part of the NC State Program and to become ICF certified, I am required to log 100 hours of coaching practice over the next 8 months (referred to as "Coaching Practicum Requirement"). I will fulfill part of this Coaching Practicum Requirement by providing coaching services to individuals within EPA that request coaching and through EPA's Executive Leadership Program. I also plan to coach individuals outside of EPA ("External Clients").

In order to meet the Coaching Practicum Requirement, there must be an exchange of value for 75% of the 100 coaching hours. Up to 25% of the coaching can be pro bono. Coaching individuals within EPA automatically meets the requirement for an "exchange of value" pursuant to the requirements of the NC State Program and the ICF. The time I provide coaching another EPA employee as part of EPA's internal coaching program is considered "value" and thus meets the "exchange of value" requirement. For coaching External Clients, the "exchange of value" can be anything mutually agreed upon as "value" and is quite flexible. Some of the external coaching may involve an exchange of value such as bartering or a mutually agreed upon fee. Additionally, some of the coaching services may be provided on a pro bono basis.

I intend to continue to coach External Clients once I complete the Coaching Practicum Requirement. As part of my external coaching practice, I plan to form a coaching company and will use marketing materials such as emails, a web site, a blog, letter head and business cards in connection with my coaching business. A more complete description of the coaching services to be provided are noted below.

- **The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months).**

As noted above, I plan to form a coaching business and will be self-employed. The focus of my business will be to provide coaching services. Coaching is a partnership (defined as an alliance, not a legal business partnership)

between the coach and the client in a thought-provoking and creative process that inspires the client to maximize personal and professional potential. It is designed to facilitate the creation/development of personal, professional or business goals and to develop and carry out a strategy/plan for achieving those goals.

The coaching to be provided will be client-driven and depend upon the areas in which the client wishes to focus on for their professional and/or personal development. Examples of areas for coaching include:

- Maximizing leadership potential
- Improving business management strategies
- Optimizing work performance
- Expanding career opportunities
- Increasing self-esteem/self-confidence
- Defining strengths, weaknesses and opportunities for growth
- Making positive changes
- Managing work/life balance
- Health and wellness goals
- Navigating life transitions

In the next six months I plan to have up to seven (7) External Clients and begin coaching. Ideally, I would like to begin external coaching in January 2018. Some of the external coaching may involve an exchange of value such as bartering for goods or services, a mutually agreed upon hourly fee or a fixed fee for a coaching package. Additionally, some of the coaching may be provided on a pro bono basis.

The estimated time to be devoted to the activity

I estimate devoting up to 30 hours per month to coaching clients outside of EPA.

Whether the service will be provided entirely outside of normal duty hours (if not estimate the number of absence from work required)

The coaching services for External Clients will be provided entirely outside of my normal duty hours.

There will be no official duty time or Government property, resources, or facilities not available to the general public used in connection with the outside employment. In addition, I will not use government time or resources in any way to support my outside activity, and in the context of operating my business, I will not provide services to any EPA employees, including subordinates.

The basis for compensation (e.g., fee, per diem, per annum, etc.)

The basis for compensation for coaching External Clients may involve an exchange of value such as bartering for goods or services, a mutually agreed upon hourly fee or a fixed fee for a coaching package. Additionally, some of the external coaching may be pro bono.

I have read and am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on “Outside Activities”) and Section 6401.103 (EPA’s Supplemental Regulations).

An identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided.

As yet, I do not have any clients. But as I consider any clients, I will ask if they have any EPA assistance agreements or contracts and, if so, inform you prior to rendering any service.

(b) (6)

Director, Air Quality Policy Division
OAQPS, U.S. EPA
109 T.W. Alexander Drive
Research Triangle Park, NC 27711

(b) (6)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

AUG 1 - 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Deputy Associate Administrator
Office of Public Affairs

I have received your request to engage in outside activity for compensation. You wish to take on clients to advise about strategy, mail and media production. You have two likely clients now (b) (6), and anticipate getting more clients in the next six months.

You are a Schedule C appointee and, as such, are subject to an outside earned income limitation set forth at 5 CFR 2635.804. This restriction does apply to Schedule C appointees, as explained at 5 CFR 2636.301(a)(3). For 2017, you cannot earn more than \$27,765 in your outside activity. The restriction also prevents you from accepting compensation for "practicing a profession which involves a fiduciary relationship; affiliating with or being employed by a firm or other entity which provides professional services involving a fiduciary relationship; serving as an officer or member of the board of any association, corporation or other entity; or teaching without prior approval." 5 CFR 2635.804(b). We have determined that providing consultative media advice is not a fiduciary role, and you will be providing those services directly as opposed to through any corporation.

Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties. As your consulting duties will remain the same, just inform me of any new clients so that I can advise you about any additional conflicts issues if they arise.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by the clients, you have a financial conflict of interest with both of them. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside clients. You cannot work on particular matters that involve your clients as a specific party nor can you work on particular matters of general applicability.

You will need to report the consulting work and gross income on your next financial disclosure report in Part 2.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 U.S.C. §§ 203 and 205. You cannot contact the US government on behalf of Saint Luke Solutions LLC or any of your clients.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

MAR 01 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6) Deputy Director
Office of Grants and Debarment

I have received your request to engage in outside activity for compensation as an adjunct faculty member at the School of Continuing Studies at Georgetown University. You wish to teach one course in the discipline of law in the graduate level Paralegal Studies Program. Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by Georgetown University, you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve Georgetown University as a specific party (e.g., whether the Office Director should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if Georgetown University is an expected applicant).

You will need to report the income from this outside activity on Schedule A of your financial disclosure statement, and the outside position on Schedule D.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as an adjunct faculty member, you cannot contact the U.S. government on behalf of Georgetown University, which may include contacting federal employees to speak before your paralegal studies program class.

Misuse of Position

Because you will be compensated, you cannot use any EPA equipment, including phones, workspace, computer or time. The Agency's Limited Personal Use of Equipment policy states that there is no *de minimis* use of EPA equipment to further any compensated outside activity. So you cannot even use your work station after business hours.

In addition, you cannot refer solely to your EPA position or title in connection with this outside activity. Any biographical information must also reference other significant biographical details (at least two others) with EPA not having any undue prominence. See 5 CFR § 2635.807(b).

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

FEB 06 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Special Advisor to the Administrator and
Transition Team Communications Lead
Office of the Administrator

I received your request of January 27, 2017, to engage in outside activity for compensation as a State Senator for the State of Washington, which is a partisan position. You wish to continue to serve on your own time and not using any EPA resources. In exchange for your services, Washington State law provides that you will be compensated in the amount of (b) (6) per year. That amount exceeds the outside earned income limit.

Based on the information you have provided, I am approving your request for outside activity, provided that you abide by the applicable ethics rules, including the outside earned income cap, and the Hatch Act obligations set forth below:

You are subject to the outside earned income cap

You are currently a Schedule C appointee at EPA, which means that you are a "covered noncareer employee" subject to the outside earned income limitations set forth at 5 CFR § 2635.804. Under this provision, you cannot receive any compensation for, among other things, practicing a profession that involves a fiduciary relationship or affiliating with or being employed by a firm that provides professional services involving a fiduciary duty.

In addition, you are subject to the outside earned income limit, which is currently \$27,765 per annum. Based on the information you provided, and the fact that you are currently serving in a 120-day limited term appointment, I do not expect your income from this outside compensated entity to exceed the cap. But if you

remain in this Administration, then you will not be permitted to collect your full Washington State salary. You will be capped at \$27,765.

You are subject to the Hatch Act

By this memorandum, I am also confirming the advice I provided to you previously. Because you were already elected to partisan state office prior to becoming a federal employee, you are permitted to retain the position. You are, however, now bound by the Hatch Act, which regulates the political activity of federal employees and prohibits you from unfettered involvement in partisan politics. Although you may engage in political activity on your own time (meaning the weekend, after business hours if off EPA premises, or while on leave or leave without pay), you are now subject to certain 24/7 restrictions.

You cannot undertake any activity that is directed at the success or failure of a partisan political candidate, group or campaign while on EPA property, using EPA equipment, or on EPA time. Now that you are a federal employee, you are prohibited from running for future partisan office and cannot solicit, accept or receive political contributions or engage in any partisan fundraising, even on your own time. I reminded you that you cannot mingle your state duties with your EPA duties.

You are subject to the financial conflicts of interest

Because you will be compensated by the State of Washington, you have a financial conflict of interest. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon the State. You cannot work on particular matters that involve the State as a specific party (e.g., whether an EPA official speak with a Washington State agency or department), nor can you work on particular matters of general applicability (e.g., a rulemaking that affects all states).

You will need to report the income from this outside activity on Schedule A of your financial disclosure statement, and the outside position on Schedule D.

Representation back to the United States

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as a Washington State Senator, you cannot contact or represent back to any US government official on behalf of the State in connection with any matter in which the United States is a party or has a direct and substantial interest.

Misuse of Position

You cannot use your EPA position, title or affiliation in connection with the outside political activity. See 5 CFR § 2635.807(b) and 5 CFR § 734.302. Because you will be compensated, and because this employment involves partisan political activity, you can never use any EPA equipment, including phones, workspace, computer, and time. The Agency's Limited Personal Use of Equipment policy states clearly that there is no *de minimis* use of EPA equipment or property to further any compensated outside or political activity. See <http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2101-0.pdf> .

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

JUL 19 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *justina fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Director, NCER
Office of Research and Development

I have received your request to engage in outside activity for compensation with Morgan State University. You wish to assist the dean of the School of Engineering by providing short and long-term strategic planning, development of junior faculty, and program administration to increase the stature of its civil engineering program. Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties, including taking on any additional or other courses.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by Morgan State University, you may well be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve Morgan State University as a specific party (e.g., whether the Assistant Administrator should accept an invitation to speak at the University), nor can you work on particular matters of general applicability (e.g., a grant proposal to which all colleges might apply if Morgan State University is an expected applicant).

You will need to report the income from this outside activity on Schedule A of your financial disclosure statement, and the outside position on Schedule D.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205. In your capacity as an adjunct faculty member, you cannot contact the US government on behalf of Morgan State University, which may include contacting federal employees.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Health and Environmental Effects Research Laboratory
OFFICE OF RESEARCH AND DEVELOPMENT

DATE: **January 2, 2014**

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: (b) (6) Director
Integrated Systems Toxicology I

(b) (6)

THROUGH: **Ronald Hines, Associate Director for Health
NHEERL**

TO: **Hal Zenick, Director
NHEERL**

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Completely answer each item—do not answer "N/A"]

1) Employee's name, title and grade:

(b) (6) Supervisory Research Biologist, Title 42

2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected**:

I served as editor-in-chief Comprehensive Toxicology, a 14 volume reference published by Elsevier in 2010. Elsevier is planning to use the material from Comprehensive Toxicology in a new online work titled Reference Modules in Biomedical Sciences. I have been asked to serve on the Editorial Board in order to identify potential contributors and evaluate material. Compensation in 2014 would be (b) (6) dropping to (b) (6) in subsequent years.

3) The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):

Graham Nisbet, Elsevier

4) The estimated time (hours/days) to be devoted to the activity (indicate exact dates if known):

8-12 hours/month (estimated)

5) Whether the service will be performed entirely outside of normal duty hours (yes or no) (if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71):

A 1-2 day meeting per year is anticipated. Leave will be taken as needed. All other work will be done outside of normal duty hours.

6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.):

Compensation will be on a yearly basis.

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered—if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.):

To the best of my knowledge, there are none.

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1) EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and not because of my official position.

g) I certify that the invitation to engage in this activity or the offer of compensation was not extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

(b) (6)

1/2/14
Date

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL H. Zencich 1/8/14
Date

DISAPPROVAL _____
Date

Fugh, Justina

From: Fugh, Justina
Sent: Friday, September 16, 2016 2:56 PM
To: (b) (6)
Cc: Edwards, Jonathan
Subject: approval of request for outside activity

Hi,

I received your request for approval of an outside activity and confirmed that your supervisor, Jonathan Edwards, is aware of the request. Although the amount of time may be relatively modest, the task arguably involves your status as an attorney, so meets the threshold for requiring prior approval. If and when you return to your position of record, then you will need to seek another approval of the activity. Renewed requests are required anytime there is a change to your assigned duties, to the outside activities themselves, or if five years has passed.

I am granting you the approval for this request, provided that you adhere to the following ethical obligations:

- 1) You are never permitted to use government time, equipment or resources to work on this outside activity and should not refer to your EPA position or title in connection with the outside activity. You are not representing the Agency or the US Government in this personal endeavor; and
- 2) You will have a financial conflict of interest with the attorney, (b) (6), and his firm. You must recuse yourself from engaging in official EPA duties in any way that will have a direct and predictable financial effect upon the interests of (b) (6) or his firm, so you cannot participate in any particular matter in which he or his firm is a party or represents a party.

I will put a copy of this approval in your public financial disclosure file in OGC/ethics.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: (b) (6)
Sent: Monday, September 12, 2016 6:59 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Edwards, Jonathan <Edwards.Jonathan@epa.gov>
Subject: Outside Position Determination request

Justina –

As you know, as a part of my SES Candidate Development Program detail as Acting Director of the Radiation Protection Division in the EPA's Office of Air and Radiation's Office of Radiation and Indoor Air (ORIA), I submitted an OGE-278 (Public Financial Disclosure Report) in INTEGRITY. Upon review of my OGE-278

you noted my reporting of an outside position as an attorney and indicated that I am required by EPA supplemental regulations to seek approval of this outside position during my detail in ORIA. The purpose of this email is to request a determination concerning my being able to continue in this outside position during the course of my detail. In furtherance of that determination, please be aware of the following:

I am (b) (6), Acting Director of the Radiation and Protection Division. I am currently a GS-15.

As an attorney licensed to practice law in the State of NY, I am able to refer a personal injury or medical malpractice matter to another attorney who practices in NY and, upon resolution or settlement of the matter, obtain a percentage of the fee the attorney of record obtains. I have referred, and in the future may refer, cases to (b) (6) Attorney at Law, of the firm Popick & Rutman, PLLC, in Flushing, N.Y. I do not perform any work on the matter. I do not provide any testimony, legal consultation, or any other expertise in support of its resolution. I do not represent the injured party in any way and am not kept informed of case's progress. I only provide (b) (6) phone number and let him know that I am sending him a client. (b) (6) and his firm can decide not to take the case, or to represent the injured party. They do all of the work on the matter. If they accept the case, at its conclusion, (b) (6) sends me a check for the referral fee which is 1/3 of the attorney's fee of 1/3 of the settlement. The amount of compensation expected is not clear. It can be \$0. It all depends on the extent of the injuries, the liability of the defendant, and the ultimate resolution/settlement. By its very nature, referrals for injuries/accidents cannot be anticipated. In addition, the time for resolution of these matters is very uncertain. At this point and time, however, I do not anticipate any clients/referrals, or compensation for the next six months because all of my referred matters have been resolved.

I anticipate that 1 hour per year will be devoted to this activity and the service (a phone call) will be performed entirely outside of normal duty hours. No official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment. The compensation is a straight referral fee. 1/3 of the attorney's fee of 1/3 of the settlement, payable upon resolution of the case.

I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities") and Section 6401.103 (EPA's Supplemental Regulations). Furthermore, no EPA assistance agreements or contracts are held by a person to or for whom services would be provided.

Please let me know if you have any questions/concerns or need any additional information from me in order for you to make your determination.

Thank you for your time,

(b) (6)

(b) (6)

Acting Director
Radiation Protection Division
Office of Radiation and Indoor Air
U.S. Environmental Protection Agency
1301 Constitution Ave., NW
WJCEast-1334G (MC-6608T)
Washington, DC 20460

(b) (6)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

JAN 24 2014

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: (b) (6)
Principal Deputy Assistant Administrator
Office of International and Tribal Affairs

I have received your request to engage in outside activity for compensation as an organizational consultant to re:focus partners, llc, an environmental development firm headed by Shallini Vajjhalla. You wish to assist this entity in devising its business plan and hiring protocols, provide executive coaching services, and assist with other business development and organizational assessment tasks. Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, in general, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties.

I have set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

Because you will be compensated by re:focus partners, llc, you may be considered its employee (as opposed to an independent contractor) and therefore have a financial conflict of interest. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve re:focus partners, llc as a specific party, nor can you work on particular matters of general applicability.

You will need to report the income from this outside activity on Schedule A of your financial disclosure statement, and the outside position on Schedule D.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 USC §§ 203 and 205.

* * * * *

As always, if you have any questions, please feel free to contact me at 564-1786.

Request for Outside Employment

This is a request for outside employment that would be in addition to my responsibilities at EPA. Conducting these activities would occur outside of my business hours at EPA, and with no use of time, property, facilities, or resources of EPA.

1. Name/Title/Grade –
(b) (6) Deputy Assistant Administrator, Office of International and Tribal Affairs, Senior Executive Service (SES).
2. Nature of Outside Activities –
I will be performing a set of organizational development and leadership coaching services. Estimated compensation is approximately (b) (6) over the period of three years, 2014-2016.
The services/activities to be performed include:
 - a.) Development of a hiring protocol to assist an environmental development firm in scaling up its workforce through a series of hires in the next 1-3 years;
 - b.) Assisting with conceptualizing and implementing innovative organizational design strategies to help the enterprise meet its mission;
 - c.) Providing a program of executive/leadership coaching services to employees of the environmental development company;
 - d.) Other administrative and organizational development tasks as requested. If any additional responsibilities identified are outside the scope of those described above, separate permission of EPA supervisors and ethics officials will be sought.
3. The name of the organization and person for which the work will be done –
The work will be performed for re:focus partners, llc. The firm is headed by Shallini Vajjhalla, founder and CEO.
4. Estimated time to be devoted to the activity –
The amount of time necessary to perform this activity will be 5-10 hours per month.
5. When services are to be performed –
The services are to be performed outside of my business hours for my employment at EPA.
6. Use of government time, property, resources, facilities –
No official Government duty time, property, resources, or facilities will be used to carry out these activities.
7. Basis for compensation –
Compensation will be on the basis of fees charged for services rendered.
8. EPA assistance agreements or contracts held –
No EPA assistance agreements or contracts are currently held by re:focus partners, llc, or Ms. Vajjhalla.
9. Statement of familiarity with restrictions and requirements –
I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities") and Section 6401.102 (EPA's Supplemental Regulations).